

Frick, J. W. Harvey, the Robinson Publishing Company, and the Times Publishing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WEISSE: Petitions of Carl Tehlandt, the Reporter, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WILLIAMS: Petition of F. B. Birdsall, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of prominent business firms of Mississippi, for passage of bill H. R. 5281—to the Committee on the Merchant Marine and Fisheries.

By Mr. WILSON: Petitions of Hughes, Nichols & Co., the Telephony, of Chicago, and the Chicago Eye, against the tariff on linotype machines—to the Committee on Ways and Means.

SENATE.

THURSDAY, February 1, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Baptist Church at Bolivar, Hardeman County, Tenn., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLMENT OF INDIAN CHILDREN.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, together with a copy of a memorial of the Chickasaw legislature relative to the enrollment of children born to duly recognized citizens of the Choctaw and Chickasaw nations since March 4, 1905; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

UNITED STATES DEPOSITORIES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of December 18, 1905, a statement prepared in the office of the Treasurer of the United States of each and every national bank designated as a depository of the United States, its location, and the total amount of money deposited in each of these banks by the United States during the fiscal years ended June 30, 1901, 1902, 1903, 1904, and 1905; which, with the accompanying paper, was referred to the Select Committee on National Banks, and ordered to be printed.

ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Anacostia and Potomac River Railroad Company for the year ended December 31, 1905; which was referred to the Committee on the District of Columbia, and ordered to be printed.

GEORGETOWN AND TENNALLYTOWN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown and Tennallytown Railway Company for the year ended December 31, 1905; which was referred to the Committee on the District of Columbia, and ordered to be printed.

CITY AND SUBURBAN RAILWAY.

The VICE-PRESIDENT laid before the Senate the annual report of the City and Suburban Railway, of Washington, D. C., for the year ended December 31, 1905; which was referred to the Committee on the District of Columbia, and ordered to be printed.

BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Brightwood Railway Company for the year ended December 31, 1905; which was referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON RAILWAY AND ELECTRIC COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Washington Railway and Electric Company for the year ended December 31, 1905; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 8442. An act permitting the building of a dam across the Rock River at Grand Detour, Ill.; and

H. R. 13538. An act to incorporate The Carnegie Foundation for the Advancement of Teaching.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 15. An act granting an increase of pension to Lizzie E. Shehan;

S. 21. An act granting a pension to Mary G. Bright;

S. 23. An act granting an increase of pension to Charles A. Bradbury;

S. 82. An act granting an increase of pension to Curtis A. Carpenter;

S. 99. An act granting an increase of pension to Eugene P. Kingsley;

S. 113. An act granting an increase of pension to John D. McFadden;

S. 135. An act granting an increase of pension to Peter P. Chacey;

S. 137. An act granting an increase of pension to Robert Wiper;

S. 144. An act granting an increase of pension to Minerva Briggs;

S. 147. An act granting an increase of pension to Patrick McCue;

S. 149. An act granting an increase of pension to Cassius Lisk;

S. 150. An act granting an increase of pension to Lucius A. Lincoln;

S. 157. An act granting an increase of pension to Lizzie G. Reynolds;

S. 168. An act granting an increase of pension to Elizabeth Davis;

S. 182. An act granting an increase of pension to Oliver P. Smith;

S. 184. An act granting an increase of pension to Lyman Marsh;

S. 194. An act granting an increase of pension to James L. Cowell;

S. 195. An act granting an increase of pension to John Pieper;

S. 202. An act granting an increase of pension to Allen Amburn;

S. 204. An act granting an increase of pension to John F. Walter;

S. 205. An act granting an increase of pension to Frances Gee;

S. 217. An act granting an increase of pension to William C. Breckenridge;

S. 327. An act granting an increase of pension to Walter Barney;

S. 336. An act granting a pension to Abraham M. Cory;

S. 386. An act granting an increase of pension to Orange G. Jones;

S. 471. An act granting an increase of pension to Thomas McLaughlin;

S. 489. An act granting an increase of pension to Nelson B. Tool;

S. 525. An act granting an increase of pension to Michael Brady;

S. 528. An act granting a pension to Robert M. McCormick;

S. 530. An act granting an increase of pension to Sophie A. Knapp;

S. 532. An act granting an increase of pension to Hiram B. Doty;

S. 559. An act granting an increase of pension to Seth M. Tucker;

S. 560. An act granting an increase of pension to Andrew C. Reed;

S. 571. An act granting an increase of pension to Charles H. Knight;

S. 574. An act granting an increase of pension to Lee H. Buckland;

S. 626. An act granting an increase of pension to Allen J. Nash;

S. 627. An act granting an increase of pension to Joseph Hiler;

S. 708. An act granting an increase of pension to Maurice Downey;

- S. 713. An act granting an increase of pension to Ephraim A. Gordon;
 S. 777. An act granting an increase of pension to Byron Lent;
 S. 783. An act granting an increase of pension to Moses H. Sawyer;
 S. 786. An act granting an increase of pension to Patrick Garvey;
 S. 844. An act granting an increase of pension to James W. Regan;
 S. 849. An act granting an increase of pension to Horatio Carter;
 S. 988. An act granting a pension to Russell A. McKinley; and
 S. 1444. An act granting a pension to Dora H. Kuhns.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of Local Union No. 228, Cigar Makers' International Union, of San Francisco, Cal., remonstrating against the enactment of legislation providing for a reduction of the tariff on all cigars and tobacco manufactured in the Philippine Islands to 25 per cent of the rate stipulated in the so-called "Dingley tariff bill;" which was referred to the Committee on the Philippines.

Mr. PENROSE presented petitions of Local Lodge No. 593, Brotherhood of Railroad Trainmen, of Dubois; of Sam Sloan Division, No. 276, Brotherhood of Locomotive Engineers, of Scranton, and of Local Lodge No. 511, Brotherhood of Railroad Trainmen, of Philadelphia, all in the State of Pennsylvania, praying for the passage of the so-called "anti-injunction bill;" which were referred to the Committee on the Judiciary.

He also presented a petition of Johnstown Council, No. 303, United Commercial Travelers of America, of Johnstown, Pa., praying for the adoption of an amendment to the present bankruptcy law making commercial salesmen preferred creditors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young Men's Christian Association of Easton, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, ships, and grounds; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Oakland Board of Trade, of Pittsburg, Pa., praying that an appropriation of \$3,000,000 be made for the purchase of a site and the erection of a post-office building in that city; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Pineville Grange, Patrons of Husbandry, of Buckmanville, Pa., and a petition of Friendsville Grange, Patrons of Husbandry, of Friendsville, Pa., praying for the adoption of an amendment to the present oleomargarine law by striking out the word "knowingly" in the sixth section thereof; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Board of Trade of Pittsburg, Pa., praying for the enactment of legislation to incorporate the Lake Erie and the Ohio River Ship Canal and defining the powers thereof; which was referred to the Committee on Commerce.

He also presented a memorial of Local Union No. 301, Cigar Makers' International Union of America, of Akron, Pa., remonstrating against any reduction of the duty on cigars and tobacco imported from the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented a petition of the Young Men's Christian Association of Easton, Pa., praying for the passage of the so-called "Hepburn-Dolliver bill" to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Young Men's Christian Association of Easton, Pa., and a petition of the Woman's Home Missionary Society of the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Indian Territory when admitted to statehood; which were ordered to lie on the table.

He also presented petitions of Local Lodge No. 511, Brotherhood of Railroad Trainmen, of Philadelphia; of Quaker City Division, No. 204, Order of Railway Conductors, of Philadelphia; of Sam Sloan Division, No. 276, Brotherhood of Locomotive Engineers, of Scranton; of Local Lodge No. 174, Brotherhood of Locomotive Firemen, of Harrisburg, and of Local Division No. 163, Order of Railway Conductors, of Oil City, all in the State of Pennsylvania, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

He also presented sundry papers to accompany the bill (S. 3752) for the relief of the widow of Everett Wroe; which were referred to the Committee on Claims.

Mr. BURKETT presented the affidavit of Dr. H. P. Sheldon, of Scottsbluff, Nebr., to accompany the bill (S. 3643) granting an increase of pension to Seth Raymond; which was referred to the Committee on Pensions.

He also presented a petition of the Commercial Club of Blair, and a petition of the Commercial Club of Omaha, in the State of Nebraska, praying for a reduction of the postage on first-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Corn Improvers' Association and the Association of Agricultural Students, of the State of Nebraska, praying that increased appropriations be made for the maintenance of agricultural experiment stations; which were referred to the Committee on Agriculture and Forestry.

He also presented a paper to accompany the bill (S. 1344) for the relief of John M. Burks; which was referred to the Committee on Claims.

He also presented the petition of Charles Weiss, of Hartington, Nebr., praying for the removal of the tariff on linotype and composing machines; which was referred to the Committee on Finance.

He also presented a petition of Claud Champion Division, No. 217, Order of Railway Conductors, of Lincoln, Nebr., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented a petition of sundry citizens of New Hampshire, praying that an appropriation be made to compile and publish the names and data connected therewith of the census of 1790; which was referred to the Committee on the Census.

He also presented a petition of the Woman's Christian Temperance Union of Henniker, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Alonzo Palmer Post, No. 170, Department of Wisconsin, Grand Army of the Republic, of Superior, Wis., praying for the enactment of legislation to establish a temporary Soldiers' Home in the District of Columbia for soldiers and sailors of the late wars; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Anacostia Citizens' Association, of Anacostia, D. C., praying for the passage of the bill proposed by the Commissioners of the District of Columbia relative to the changes in the public schools and on the board of education in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Philadelphia and Germantown, Pa., praying for the enactment of legislation providing separate statehood for the Indian Territory; which were ordered to lie on the table.

He also presented petitions of sundry citizens of North Weare, N. H., and of Newkirk, Okla., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Indian and Oklahoma Territories when admitted to Statehood; which were ordered to lie on the table.

Mr. LODGE presented a petition of the Boston Museum of Fine Arts, of Massachusetts, praying for the repeal of the present duty on works of art; which was referred to the Committee on Finance.

Mr. HEMENWAY presented a petition of Post Q, Indiana Division, Travelers' Association, of New Albany, Ind., praying for the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Good Will Lodge, No. 52, Brotherhood of Locomotive Firemen, of Logansport, Ind., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the Manufacturers' Club of Fort Wayne, Ind., and a petition of sundry citizens of Indianapolis, Ind., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Vigo Lodge, No. 16, Brotherhood of Locomotive Firemen, of Terre Haute; of Tecumseh Lodge, No. 402, Brotherhood of Railroad Trainmen, of Lafayette, and Good Will Lodge, No. 52, Brotherhood of Locomotive Firemen, of Logansport, all in the State of Indiana, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. ALLISON presented a petition of the Japanese and Korean Executive League, of San Francisco, Cal., praying for the strict enforcement of the present Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Dubuque,

Iowa, praying for the enactment of legislation to prevent the destruction of Niagara Falls, on the American side, by the diversion of the waters for manufacturing purposes; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of Local Union No. 1, American Society of Equity, of Panora, Iowa, praying for the passage of the so-called "railroad-rate bill;" which was referred to the Committee on Interstate Commerce.

Mr. MARTIN presented petitions of Oak Grove Council; Hague Council, No. 193, of Hague; Bell Haven Council, No. 61, of Alexandria; John Forbes Council, No. 144, of Danville; Stonewall Council; Industry Council, No. 22, of Norfolk; Cornet Council, No. 29, of Quicksburg; Alexandria Council; Waterford Council, No. 75, of Waterford; William McKinley Council, No. 182, of Richmond; Eagle Rock Council, No. 91, of Eagle Rock; Round Hill Council, No. 203, of Round Hill; Thomas Jefferson Council, No. 109, of Berkley, and Lovettsville Council, No. 101, of Lovettsville, all of the Junior Order United American Mechanics; of the United Brotherhood of Carpenters and Joiners of America, of Fredericksburg, and of Poquoson Tribe, No. 124, Independent Order of Royal Masons, of Danville, all in the State of Virginia, praying for the enactment of legislation to restrict immigration; which were referred to the Committee on Immigration.

Mr. BACON presented a memorial of sundry property owners and residents on Oregon avenue, Washington, D. C., remonstrating against the proposed change of name of that avenue; which was referred to the Committee on the District of Columbia.

Mr. STONE presented petitions of Terminal Lodge, No. 472, Brotherhood of Railroad Trainmen, of St. Louis, Mo.; of Local Division No. 55, Order of Railway Conductors, of Kansas City; of Anchor Lodge, No. 54, Brotherhood of Locomotive Firemen, of Moberly, and of Easter Lodge, No. 481, Brotherhood of Locomotive Firemen, of St. Louis, all in the State of Missouri, praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. CLARK of Montana presented a petition of Butte Lodge No. 580, Brotherhood of Railroad Trainmen, of Butte, Mont., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. PATTERSON presented a petition of W. E. McGraw Lodge, No. 680, Brotherhood of Railroad Trainmen, of Denver, Colo., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. PLATT presented a petition of Ontario Lodge, No. 69, Brotherhood of Railroad Trainmen, of Oswego, N. Y., and a petition of Local Lodge No. 315, Brotherhood of Locomotive Firemen, of Albany, N. Y., praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. NELSON presented a petition of Local Division No. 360, Order of Railway Conductors, of Two Harbors, Minn., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. KNOX presented a petition of Local Lodge No. 174, Brotherhood of Locomotive Firemen, of Harrisburg, Pa., and a petition of Van Bergen Lodge, No. 62, Brotherhood of Locomotive Firemen, of Carbondale, Pa., praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

PAPERS ACCOMPANYING CLAIMS BILLS.

Mr. LODGE. Mr. President, I was out of the Senate yesterday when some remarks were made in regard to the introduction of a paper to which I called attention the previous day. I wish simply to say in regard to it what I should have said yesterday if I had been here.

Whatever rules the Senate makes, of course, we all must conform to. I have no doubt that is a good rule, but I think rules should be made by the Senate and not by the Secretary of the Senate or by the clerks of committees. I think if there is a necessity for a rule in regard to the introduction of papers it should be settled by Senate rules. I have no objection to the rule or the practice, but I do think rules ought to be made by the proper authority.

Mr. FULTON. Mr. President, in order that the Senator from Massachusetts may understand my position, I wish to state that I called the matter up yesterday morning simply that I might explain that the present Committee on Claims has entered upon no different practice from that which obtained before. We have not made any innovation.

The matter arose from a misunderstanding, I will state to the Senator from Massachusetts. One of the clerks thought he

could not receive papers at all until they came through the Senate. There was no disposition whatever to impose any regulations that were not proper or anything that was not in conformity with the rules of the Senate, nor is there any disposition on the part of the committee to presume to make rules. It is not a rule. It was simply a request on the part of the file clerk of the Senate that that order might be observed. At least I discovered when the matter was brought to my attention that it arose in that way. The clerks hereafter in the Committee on Claims will receive papers Senators send to them and file them with the papers in the custody of the committee.

I am very sorry that any Senator should have been put to any annoyance or inconvenience by reason of the misunderstanding.

Mr. LODGE. It is no annoyance to me, Mr. President. It is not that. It is only a matter of practice. We have been in the habit of filing additional papers to accompany bills with the clerks of committees to which the bills and previous papers had been referred. If there is to be a rule as to the filing of additional papers, that rule should be made through the Committee on Rules and adopted by the Senate. All I desire to say is that I do not think rules should be made except through the proper channel.

REPORTS OF COMMITTEES.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 2355) to reorganize the corps of dental surgeons attached to the Medical Department of the Army, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Commerce, to whom was referred the concurrent resolution submitted by Mr. HEMENWAY on January 31, 1906, providing for a survey for a harbor in Lake County, Ind., reported it without amendment.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 1942) to correct the military record of George A. Winslow, reported it without amendment.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (S. 733) granting an honorable discharge to Jacob Niebels, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1862) for the relief of Joshua T. Reynolds, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3804) for the relief of Joshua T. Reynolds, moved that the bill be postponed indefinitely; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 3157) restoring the name of Henry L. Beck to the Army rolls as captain and providing that he then be placed on the retired list, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FOSTER, from the Committee on Military Affairs, to whom was referred the bill (S. 2325) for the relief of James D. Vernay, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2051) for the relief of James D. Vernay, moved that the bill be postponed indefinitely; which was agreed to.

Mr. MONEY. I am instructed by the Committee on Foreign Relations to report with a favorable recommendation two statements of award, one a report by the Secretary of State showing the obligation to pay, under the convention of November 7, 1899, the sum of \$760 in the settlement of Danish claims, and the other a report by the Secretary of State concerning this Government's obligation to pay that of Germany \$20,000 for the settlement of certain Samoan claims. The matters have been adjusted, and I suppose the proper course would be to refer the items to the Committee on Appropriations, to be inserted in the general deficiency appropriation bill. The awards ought to be paid at once. They have remained for a good while unpaid. I ask that that reference be made.

The VICE-PRESIDENT. The reports will be referred to the Committee on Appropriations.

Mr. WARNER, from the Committee on Military Affairs, to whom was referred the bill (S. 832) to correct the military record of Asa Niles, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1951) to correct the military record of Talton T. Davis, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3277) to remove the charge of desertion from the record of William W. Kerby, submitted an adverse report thereon; which was agreed to, and the bill postponed indefinitely.

Mr. BULKELEY, from the Committee on Military Affairs, to whom was referred the bill (S. 497) to authorize the President

to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3338) for the relief of John L. O'Mara, reported it without amendment, and submitted a report thereon.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 2787) to amend the act of Congress approved February 11, 1901, entitled "An act providing for allotments of lands in severalty to the Indians of the La Pointe, or Bad River, Reservation, in the State of Wisconsin," reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2788) to enable the Indians on the La Pointe, or Bad River, Reservation to obtain title to the lots occupied by them in the village of Odanah, Wis., and to have said village surveyed, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (S. 134) establishing an additional recording district in Indian Territory, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 2273) to establish at Cape Mendocino, California, quarters for the light keeper, reported it without amendment, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. 1669) for the establishment of an additional recording district in the Indian Territory, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 26) to promote the efficiency of the Life-Saving Service, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3995) granting an increase of pension to Edward Gillespie (with an accompanying paper);

A bill (S. 3996) granting an increase of pension to David Morehart;

A bill (S. 3997) granting an increase of pension to Jacob Berry;

A bill (S. 3998) granting an increase of pension to Thomas Warner;

A bill (S. 3999) to amend an act entitled "An act amending section 4708 of the Revised Statutes of the United States, in relation to pensions to remarried widows," approved March 3, 1901, as amended by act of February 28, 1903; and

A bill (S. 4000) granting an increase of pension to Pyle Woodward (with accompanying papers).

Mr. PENROSE introduced a bill (S. 4001) to regulate process and proceedings in the courts of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4002) to correct the military record of William H. Everson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4003) to provide a suitable memorial to the memory of Christopher Columbus; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 4004) to pay The Insurance Company of North America and The Insurance Company of the State of Pennsylvania certain amounts found due them under act of January 20, 1885; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced a bill (S. 4005) granting an increase of pension to Michael Quill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4006) granting an increase of pension to Charles S. Parrish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4007) granting an increase of pension to George W. North; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 4008) granting an increase of pension to Charles B. Saunders; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4009) granting a pension to William Neithamer; which was read twice by its title, and,

with the accompanying paper, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 4010) granting an increase of pension to Bridget Egan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 4011) for the relief of the estate of Anne McCauley, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. ALGER introduced a bill (S. 4012) granting a pension to Josephine V. Van Voorhees; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4013) granting an increase of pension to George M. Horton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CRANE introduced a bill (S. 4014) to construct and place a light-ship near the eastern end of Hedge Fence Shoal, at the entrance to Vineyard Sound, Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4015) to construct and place a new light-ship at the entrance to Buzzards Bay, Massachusetts, to replace the one now known as the Hen and Chickens light-ship; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4016) for establishing a light vessel off Nantucket Shoals, Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PILES (for Mr. ANKENY) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4017) granting an increase of pension to Charles E. Truax; and

A bill (S. 4018) granting an increase of pension to Ebenezer Lusk.

Mr. BURNHAM introduced a bill (S. 4019) granting an increase of pension to Imogene B. Tappan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEMENWAY introduced a bill (S. 4020) granting an increase of pension to Henry C. Johnson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4021) for the relief of Joseph C. Boggs (with an accompanying paper);

A bill (S. 4022) for the relief of the trustees of the Methodist Episcopal Church South, of Mount Crawford, Va. (with accompanying papers);

A bill (S. 4023) for the relief of the trustees of the Downing Methodist Episcopal Church South, of Oak Hall, Accomac County, Va. (with accompanying papers);

A bill (S. 4024) for the relief of the trustees of Court Street Baptist Church, of Portsmouth, Va.;

A bill (S. 4025) for the relief of the trustees of the Union Church of Toms Brook, Va. (with accompanying paper); and

A bill (S. 4026) for the relief of Joseph H. Shafer (with an accompanying paper).

Mr. MARTIN introduced the following bills, which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4027) granting a pension to Elizabeth B. Preston;

A bill (S. 4028) granting an increase of pension to Ann H. Barnes; and

A bill (S. 4029) granting an increase of pension to Martha G. Archer.

Mr. MARTIN introduced a bill (S. 4030) providing for the promotion of Chief Boatswain Patrick Deery, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. OVERMAN (by request) introduced a bill (S. 4031) to amend and reenact an act entitled "An act to provide a permanent form of government for the District of Columbia," approved June 11, 1878, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4032) granting an increase of pension to Solomon Creighton;

A bill (S. 4033) granting an increase of pension to William Kirkwood;

A bill (S. 4034) granting a pension to Anson O. Doolittle;

A bill (S. 4035) granting an increase of pension to Abraham H. Needles; and

A bill (S. 4036) granting an increase of pension to Edwin D. Patterson.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 4037) for the relief of the heirs of Clark Gorham, deceased;

A bill (S. 4038) for the relief of Mrs. S. A. Dunn;

A bill (S. 4039) for the relief of the heirs of Matthew Higginbotham, deceased;

A bill (S. 4040) for the relief of the heirs of Elisha Mashburn, deceased;

A bill (S. 4041) for the relief of the heirs of Mrs. Hannah Pruett, deceased; and

A bill (S. 4042) for the relief of the heirs of Simeon Stephens, deceased.

Mr. FORAKER introduced a bill (S. 4043) to create a new Federal judicial district in Ohio, to be called the central district; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4044) granting a pension to Phebe Bailey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4045) granting an increase of pension to William C. Baker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BAILEY introduced a bill (S. 4046) to incorporate The Edes Home; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. LODGE introduced a joint resolution (S. R. 28) to fill a vacancy in the Board of Regents of the Smithsonian Institution; which was read twice by its title, and referred to the Committee on the Library.

AMENDMENTS TO BILLS.

Mr. GAMBLE submitted an amendment proposing to appropriate \$3,200 for clerical work and stationery in the office of the United States Surveyor-General required on surveys within the Pine Ridge Indian Reservation, S. Dak., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. RAYNER submitted an amendment proposing to appropriate \$3,000 for grading and constructing a retaining wall and for miscellaneous work at the post-office at Annapolis, Md., intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FULTON submitted an amendment authorizing the Secretary of the Interior to permit owners of sheep to cross the Umatilla Indian Reservation, in the State of Oregon, with their flocks in going to and returning from summer ranges, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. BRANDEGEE submitted an amendment proposing to appropriate \$450 to pay Charles G. Phelps for extra services as clerk of the select committee appointed to consider the message of the House of Representatives relating to the impeachment of Charles Swayne, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. MONEY submitted an amendment intended to be proposed by him to the bill (H. R. 88) for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes; which was referred to the Committee on Manufactures, and ordered to be printed.

Mr. FORAKER submitted an amendment intended to be proposed by him to the bill (S. 285) to further regulate commerce with foreign nations and among the States, and to amend the laws on that subject now in force; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

EMPLOYERS' LIABILITY BILLS.

Mr. TILLMAN. Mr. President, I rise to make a parliamentary inquiry.

A couple of days ago—I think it was on Tuesday—the Senator from West Virginia [Mr. ELKINS] called up a motion or request which he had entered on Monday, in relation to the bills in regard to the liability of railway employers. The matter was discussed until the expiration of the morning hour, and the Senator from Virginia [Mr. DANIEL], who was urgent for some action by some committee, and had been criticising some-

what severely a couple of committees, charging them with engaging in the game of shuttlecock and battledoor, was desirous to get a vote; but I wanted to make a brief statement, when the morning hour expired and something else came up. We have had nothing about it since, and my statement is in the limbo of nowhere. I should like to know where that request has gone.

The VICE-PRESIDENT. The morning hour has not expired. Mr. TILLMAN. I am speaking about the morning hour on Tuesday, when this matter was up and the request of the Senator from West Virginia was pending. It was something in the nature of a resolution, I suppose, although it was not a resolution, either, and I want to know what has become of the matter.

The VICE-PRESIDENT. The Senator from West Virginia made a motion to refer the bills to the Committee on the Judiciary, but afterwards stated that when the Senator from South Carolina had an opportunity to be heard he would withdraw his motion to refer and ask that the bills be retained in the Committee on Interstate Commerce.

Mr. TILLMAN. But the Senator from South Carolina has not been heard, and I want to know what has gone with the business.

The VICE-PRESIDENT. The business will come properly before the Senate after the morning business has been closed.

Mr. TILLMAN. To-day?

The VICE-PRESIDENT. To-day.

Mr. TILLMAN. All right; I just wanted to know. Nothing was done with it yesterday, and I wanted to get in my little statement sometime or other. I wanted to know when I would have a chance.

The VICE-PRESIDENT. Are there concurrent or other resolutions? If not, the Chair lays before the Senate bills from the House of Representatives for reference.

HOUSE BILLS REFERRED.

H. R. 8442. An act permitting the building of a dam across the Rock River at Grand Detour, Ill., was read twice by its title, and referred to the Committee on Commerce.

H. R. 13538. An act to incorporate The Carnegie Foundation for the Advancement of Teaching was read twice by its title, and referred to the Committee on the Judiciary.

DIPLOMATIC CORRESPONDENCE WITH SANTO DOMINGO.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

The Secretary read the resolution submitted yesterday by Mr. TILLMAN, as follows:

Resolved, That the President be requested to send to the Senate, if, in his judgment, it is not incompatible with the public welfare, all the correspondence and dispatches sent to or received at the State Department from our minister or other representative at Santo Domingo during the year 1904.

The VICE-PRESIDENT. The question is upon agreeing to the resolution.

Mr. NELSON. I think the resolution ought to go to the Committee on Foreign Relations. I make that motion.

Mr. TILLMAN. I have no objection to its going to the Committee on Foreign Relations, though, as it is a simple matter of inquiry or a request for information of the President about some transactions in regard to Santo Domingo that occurred two years ago, I thought that probably it was not necessary to have any committee consider it.

Mr. SPOONER. Mr. President—

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. TILLMAN. With pleasure.

Mr. SPOONER. I should like to remark, if permitted, that additional correspondence on this subject was laid before the committee on yesterday, and perhaps it embraces what the Senator has in mind.

Mr. TILLMAN. I was just looking through the papers published for the years 1904-5, and I see nothing here since August, 1904.

Mr. SPOONER. Perhaps the Senator had better let it go to the committee and find whether we already have it.

Mr. McCREARY. I ask that the resolution be read again.

The Secretary again read the resolution.

Mr. TILLMAN. Mr. President, it was asserted in the Senate yesterday that it is generally understood and not denied anywhere that the President is doing what he is doing in Santo Domingo at the earnest request of that Government, if there be one there. It has also been said in the newspapers that that is not true; that the plea for help did not come from Santo Domingo, but that Santo Domingo was, in effect, coerced or has been compelled or urged to solicit the assistance of this Government.

It is in regard to that simple statement of facts that I want

light, and I am perfectly willing to have the matter go to the Committee on Foreign Relations, hoping that we will get this correspondence at an early date.

The VICE-PRESIDENT. Without objection, the resolution is referred to the Committee on Foreign Relations. The morning business is closed, and the Calendar is in order.

EMPLOYERS' LIABILITY BILLS.

Mr. TILLMAN. What has become of the railroad liability bills, Mr. President, or the motion of the Senator from West Virginia [Mr. ELKINS]?

The VICE-PRESIDENT. They are waiting to hear from the Senator from South Carolina.

Mr. TILLMAN. But they have not come up yet. The Senator has no right to speak unless they come up.

The VICE-PRESIDENT. The bills will be laid before the Senate upon motion or by unanimous consent.

Mr. TILLMAN. If that be the case, I should like to have them taken up now and disposed of. I have only a brief statement to make.

The VICE-PRESIDENT. Without objection, the bills will be stated by the Secretary.

The SECRETARY. Order of Business 505—Senate bill 156 and Senate bill 1657, relating to the liability of common carriers.

Mr. TILLMAN. As I said a moment ago, Mr. President, the Senator from Virginia, in his remarks on Tuesday, criticised the Committee on Interstate Commerce and the Committee on the Judiciary for their action in regard to these bills, they having been sent backward and forth between the two committees for two or three years, it seems, neither committee being willing, apparently, to consider them and report them either favorably or unfavorably.

As I was instrumental in suggesting that the bills be sent back to the Judiciary Committee from the Committee on Interstate Commerce, of which I am a humble member, I will simply state the reason why. Having been absent last year from illness, and a large part of the preceding session, also from illness, I was not aware that the bills had been pending and had traveled back and forth between the two committees. But I am aware that the Committee on Interstate Commerce has been engaged, more or less zealously, in considering laboriously the question of rate making—in fact, to the exclusion of any and all other subjects. We have had debates there almost interminable among ourselves, and apparently, to my mind, along the line of how not to do it. I do not want to criticise anybody on that committee, but we have been ingloriously doing nothing in a substantive fashion; accomplishing nothing in the way of an agreement. We may agree later, but I doubt it very seriously.

So, finding ourselves burdened with this other far more important measure of rate making, and no one seeming willing to even think of these little bills under discussion, and feeling myself that it was largely a question involving nice points of law, I suggested that we might as well get rid of them by sending them to the Judiciary Committee. No one suggested that they had come to us from the Judiciary Committee.

Therefore I for one have not engaged in any shuttlecock and battledoor business. I am willing to consider the bills, and unless I can get additional light on them I am not willing to report them. That is neither here nor there; but I am ready now to take up the bills if they are sent back to the Interstate Commerce Committee, and we will do something with them.

That is all I want to say.

Mr. ELKINS. Mr. President, after the statement of the Senator from South Carolina, for which I waited, he being a member of the Interstate Commerce Committee, I, speaking for the committee, am willing to withdraw the motion, or request, I made that the committee be discharged from the further consideration of the bills and that they be referred to the Judiciary Committee, and will let the bills remain with the Interstate Commerce Committee.

The VICE-PRESIDENT. Without objection, it is so ordered. The Calendar is in order.

ABRAM JOHNSON.

The bill (S. 319) to reimburse Abram Johnson, formerly postmaster at Mount Pleasant, Utah, was announced as the first bill in order on the Calendar, and it was considered as in Committee of the Whole. It proposes to appropriate, for the reimbursement of Abram Johnson, formerly postmaster at Mount Pleasant, in the State of Utah, for amount expended by him for rent, light, and fuel, from January 1 to July 1, 1901, \$73.50.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NEW LONDON HARBOR, CONNECTICUT.

The bill (S. 2771) to establish a light and fog-signal station on Southwest Ledge, entrance to New London Harbor, Connecticut, was considered as in Committee of the Whole. It provides that the sum of \$60,000, appropriated by the act approved on April 28, 1904, for establishing a light and fog-signal station at or near Black Ledge, entrance to New London Harbor, Connecticut, may be used toward the construction of a light and fog-signal station at or near Southwest Ledge, entrance to New London Harbor, Connecticut, and appropriate the further sum of \$55,000 to establish and construct the light and fog-signal station at or near Southwest Ledge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a light and fog-signal station at or near Southwest Ledge, entrance to New London Harbor, Connecticut."

BREAKWATER AT NANTUCKET, MASS.

The Senate proceeded to consider the resolution submitted by Mr. LODGE January 16, 1906, and reported by Mr. CRANE, from the Committee on Commerce, January 18, 1906, without amendment, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to inquire into the advisability of establishing a harbor of refuge by the construction of a breakwater on the island of Nantucket, Massachusetts, at or near the westerly side of Great Point, for the purpose of providing better protection for commerce and the lessening of the perils of navigation to coastwise traffic in the adjacent waters.

The concurrent resolution was agreed to.

FOG SIGNAL AT EDIZ HOOK, WASHINGTON.

The bill (S. 927) establishing a fog signal at Ediz Hook light station, State of Washington, and for other purposes, was considered as in Committee of the Whole. It proposes to construct at Ediz Hook light station, Puget Sound, State of Washington, a fog signal and a double dwelling house suitable for two keepers, and cement walks around the building, at a cost not to exceed, in all, \$10,110.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE ON RED ROCK, SAN FRANCISCO BAY, CALIFORNIA.

The bill (S. 2277) to establish a light-house and fog signal on Red Rock, upper part of San Francisco Bay, California, was considered as in Committee of the Whole. It proposes to establish a light-house and fog-signal station on Red Rock, upper part of San Francisco Bay, California, at a cost not to exceed \$30,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL ON KARQUINES STRAIT, CALIFORNIA.

The bill (S. 2655) to establish a light and fog signal on Karquines Strait, California, was considered as in Committee of the Whole. It provides that there be established a light and fog signal on a point on Karquines Strait, California, opposite that now occupied by the the Selby Smelting Works, at a cost not to exceed \$50,000, and authorizes the Light-House Board to expend so much of this amount as may be needed from the \$63,000 appropriated for the construction of a light and fog signal at Point Dume, California, by the act of March 3, 1901, for the establishment of said light and fog signal and quarters.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF STATE OF MISSOURI.

Mr. GALLINGER. Mr. President, I call the attention of the Senator from Missouri [Mr. WARNER] to what I am about to say. A day or two ago, when the Calendar was under consideration, I asked that Order of Business 211, being the bill (S. 567) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri, should be passed over. I had not then examined the bill, but after examining it I have no objection to it, and hope it may be now taken up.

The VICE-PRESIDENT. The Senator from New Hampshire withdraws his objection to the consideration of the bill named by him, and the bill will be considered as before the Senate as in Committee of the Whole, if there be no objection.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 567) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri, which had been reported from the Committee on Claims with an amendment, in section 2, page 2, line 3, before

the word "all," to strike out "audit" and insert "report;" so as to make the section read:

SEC. 2. That he shall examine and report all the items of expenditures made by the State for the purposes herein named, allowing only for disbursements made and amounts assumed by the State for enrolling, equipping, supplying, subsisting, transporting, and paying such troops as were called into service by the governor at the request of the United States department commanders commanding the district in which Missouri may at that time have been included, or by the express order, consent, or concurrence of such commanders, or which may have been employed or used in suppressing the rebellion, in said State.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

Mr. ALDRICH subsequently said: A few moments ago the Senate passed a bill in regard to certain claims of the State of Missouri, to which I objected on a previous day. My attention was not attracted to the bill this morning, and I now desire to enter a motion to reconsider the vote by which the bill was passed.

The VICE-PRESIDENT. The motion to reconsider is entered.

LAND FOR LIGHT-HOUSE AT PIGEON POINT, CALIFORNIA.

The bill (S. 2656) to purchase an additional strip of land to the eastward of the light-house at Pigeon Point, California, was considered as in Committee of the Whole. It provides for the purchase of an additional strip of land to the eastward of the light-house at Pigeon Point, California, to be added to the light-house reservation, at a cost not to exceed \$5,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PURCHASE OF TIMBER ON CEDED INDIAN LANDS.

Mr. CLAPP. Mr. President, I was out of the Chamber, engaged in committee work, the other day when Order of Business 207, being the bill (S. 2786) to authorize the Secretary of the Treasury to refund to purchasers of pine timber on ceded Indian lands sums paid in excess of the correct amounts due for timber cut, was passed over. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE TENDER IN HAWAIIAN AND PACIFIC WATERS.

The bill (S. 2658) to construct a tender for the Light-House Service in Hawaiian and Pacific islands waters was considered as in Committee of the Whole. It provides for the construction of a steam tender for the Light-House Service in Hawaiian and Pacific islands waters, at a cost not to exceed \$150,000, and authorizes the Light-House Board to employ temporarily at Washington three draftsmen, to be paid at current rates, to prepare the plans for the steam tender.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AT POINT CABRILLO, CALIFORNIA.

The bill (S. 2279) to establish a light and fog-signal station near Point Cabrillo, California, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That there be established at or near Point Cabrillo, California, a light and fog-signal station, at a cost not to exceed \$50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

KEEPER'S DWELLING AT BONITA POINT, CALIFORNIA.

The bill (S. 2275) to provide for the erection of a keeper's double dwelling at Point Bonita, California, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 3, before the name "Bonita," to strike out the word "Point" and insert the word "Point" after "Bonita;" so as to make the bill read:

Be it enacted, etc., That there be constructed at Bonita Point, California, a keeper's double dwelling, at a cost not to exceed \$15,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The title was amended so as to read: "A bill to provide for the erection of a keeper's double dwelling at Bonita Point, California."

REVENUE-CUTTER SERVICE AT SAVANNAH, GA.

The bill (S. 2777) for the construction of a suitable vessel for the Revenue-Cutter Service for duty at Savannah, Ga., was considered as in Committee of the Whole. It proposes to appropriate \$200,000 for the construction of a suitable steam revenue cutter for duty at Savannah, Ga.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT NEWPORT, R. I.

The bill (S. 2700) to improve the public building at Newport, R. I., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 9, before the word "thousand," to strike out "fifteen" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected an addition to the public building at Newport, R. I., upon the site now owned by the Government, to afford additional accommodation for the mailing division of the post-office, including any necessary alterations in the present building, at a cost not to exceed the sum of \$20,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

AGREEMENT WITH LOWER BRULE BAND OF INDIANS.

The bill (S. 980) to ratify an agreement with the Lower Brule band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

SOLDIERS' ADDITIONAL HOMESTEAD RIGHT.

The bill (S. 983) to validate certain certificates of soldiers' additional homestead right, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, in line 10, after the name "Betterton," to strike out "Dio C. W. Brashears;" so as to make the bill read:

Be it enacted, etc., That the certificates of soldiers' additional homestead right, under section 2306, Revised Statutes of the United States, issued by the Commissioner of the General Land Office in May, 1896, under authority of the act of Congress of August 18, 1894, to M. J. Wine, assignee of Thomas O. George, Moses Roley, Andrew A. Harrison, William Bohanan, Leland L. Betterton, James R. Blades, John Pendleton, Charles M. Blair, Elbert S. Wittenberg, William D. Reynolds, John M. Walker, and Caleb Sill, be, and the same are hereby, made valid.

Mr. SPOONER. Is there a report in that case, Mr. President?

The VICE-PRESIDENT. There is a report, which will be read, if the Senator so desires.

Mr. SPOONER. I will inquire if the bill is recommended by the Department. I do not care about having the entire report read.

Mr. GAMBLE. Mr. President, I would state that this bill was favorably reported by the Committee on Public Lands in the last Congress and then passed the Senate. It has also been favorably reported at the present session. The bill is made necessary by reason of the construction of the law by the Interior Department, which favors the passage of the bill with the amendment proposed by the Committee on Public Lands.

Mr. SPOONER. Then I do not ask for the reading of the report.

The VICE-PRESIDENT. The question is on the amendment reported by the Committee on Public Lands, which has been read.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

HOFFMAN ENGINEERING AND CONTRACTING COMPANY.

Mr. SPOONER. On the 30th of January the Senate passed the bill (S. 1648) for the relief of the Hoffman Engineering and Contracting Company. I entered a motion to reconsider the vote by which the bill was passed, in order that I might

examine the report and verify the impression I had as to the matter. I have looked into it, and now ask leave to withdraw the motion to reconsider. I see no objection to the bill.

The VICE-PRESIDENT. The Senator from Wisconsin withdraws the motion to reconsider the vote by which the bill referred to by him was passed. The bill therefore stands passed.

PUBLIC LAND SALES IN CALIFORNIA.

Mr. PERKINS. Mr. President, the day before yesterday, when we had under consideration the general Calendar under Rule VIII, at my request the bill (S. 1031) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State was passed over. I understand that there is no objection to the passage of the bill, and I ask that it may now be considered and acted upon.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1031) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State. It proposes to grant to the State of California 5 per cent of the net proceeds of the cash sales of the public lands which have been heretofore made by the United States since the admission of said State, or may hereafter be made in that State, to aid in the support of the public or common schools of said State.

Mr. SPOONER. Why has there been this long delay in settling the claim of California?

Mr. PERKINS. I will state that California was peculiarly situated. It was never a Territory of the Union, but it organized its own government and came into the Union as a State without the special proviso being made in its behalf that was made in the case of the other States.

Mr. TELLER. Mr. President, that is a bill, as I understand, which simply deals with the State of California, is it not?

Mr. PERKINS. I call the attention of the Senator to the report of the committee—

Mr. TELLER. I do not care about that. I want to know about the bill.

Mr. PERKINS. It only deals with California.

Mr. TELLER. The Senator is mistaken. There are several other States that have claims of the same kind.

Mr. PERKINS. My authority is the General Land Office.

Mr. TELLER. Well, the General Land Office is mistaken.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS FOR ADDITIONAL BOUNTIES.

The bill (S. 613) repealing an act entitled "An act to extend the time for presenting claims for additional bounties," and its amendments and extensions, so far as they limit the time for presenting claims for additional bounties granted to soldiers by the twelfth and thirteenth sections of the act of July 28, 1866, was considered as in Committee of the Whole. It proposes to repeal the provisions of an act of Congress approved July 13, 1870, entitled "An act to extend the time for presenting claims for additional bounties," and its amendments and extensions, so far as they limit the time for presenting claims for additional bounties granted to soldiers by the twelfth and thirteenth sections of the act of July 28, 1866, and that such claims shall be considered by the proper accounting officers of the Treasury in the same manner as other claims for arrears of pay and bounty are considered; but this act shall not be construed to reopen any settlement already made by the accounting officers, except to allow additional bounties under the twelfth and thirteenth sections of the act of July 28, 1866, which have been denied upon the ground that payment thereof was barred by limitation of the statute.

Mr. ALLISON. I should be glad to have this bill explained somewhat in detail.

Mr. WARREN. The bill is one recommended by the Auditor for the War Department and covers a certain class of extra bounties. The law of 1866 provided that soldiers who had served three years should receive an additional \$100 bounty, and those who had served two years an additional \$50 bounty. But it has been provided by legislation that claims presented after 1880 should not be paid. The acts provide that these claims can only be paid to the soldier himself, or in case the soldier is dead, then to his wife, minor children, or parents. All the proofs are in the Department. These claims stand exactly like other bounties due soldiers, except for the limitation I have stated. All the other bounty acts were unlimited. They are paid from time to time from the money we annually appropriate for arrearages of pay allowances and bounties. But under this particular act, because of this extra limitation, although nearly

all of the claims have been paid, there yet remain certain claims, amounting to something less than a hundred thousand dollars, as stated by the Auditor. The Congress has had its attention called to this matter several times. In the last Congress a bill identical with this passed the Senate. I think this is a good bill and ought to pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF COMMODORE JOHN BARRY.

The bill (S. 86) for the erection of a monument to the memory of Commodore John Barry was considered as in Committee of the Whole. It provides that there shall be erected in the city of Washington, D. C., a statue to the memory of Commodore John Barry, and appropriates therefor \$50,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOMESTEAD RIGHTS OF CERTAIN MONTANA CITIZENS.

The bill (S. 541) for the relief of certain citizens of Montana claiming the benefit of the homestead laws was considered as in Committee of the Whole. It provides that no purchaser of land under the terms of the act to provide for the sale of lands patented to certain members of the Flathead band of Indians in the Territory of Montana, and for other purposes, approved March 2, 1889, shall, on account of such purchase, be held to have exhausted his or her right to enter land under the homestead laws, but every such person shall, if otherwise qualified, be, notwithstanding such purchase, entitled to the benefit of the homestead laws.

Mr. BEVERIDGE. Mr. President—

Mr. KEAN. Let the report be read.

Mr. BEVERIDGE. I was about to ask the Senator from Montana [Mr. CARTER] to explain the bill.

Mr. CARTER. The bill applies to very few persons and is intended to remove a disability inadvertently imposed by the terms of the law. Under the terms of the act referred to certain lands were to be sold at public auction, and it was provided that no one should be qualified to bid unless he possessed the qualifications of a homestead entryman. This provision was made in lieu of the statement that the bidder must be a citizen of the United States.

The Land Department subsequently held that the purchasers of such land at public auction, by virtue of the terms of the law, forfeited their homestead rights. It was manifestly not so intended. In 1900 an act was passed curing the disabilities referred to, but that act applied only to sales made prior to 1900. A number of sales at public auction have been made since 1900, and this bill is intended to relieve the persons at such sales from the disabilities imposed. The Department approves the bill.

Mr. BEVERIDGE. I understand it now.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

L. S. WATSON MANUFACTURING COMPANY.

The bill (S. 2964) for the relief of the L. S. Watson Manufacturing Company, of Leicester, Mass., was considered as in Committee of the Whole. The bill proposes to pay to the L. S. Watson Manufacturing Company, of Leicester, Mass., \$423.17, being the amount of the fines paid by them by reason of an undervaluation of certain heddles imported by them, the undervaluation being due to mistake for which they were not in fault.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FISH-CULTURAL STATION IN UTAH.

The bill (S. 1374) to establish a fish-cultural station in the State of Utah was considered as in Committee of the Whole. It proposes to appropriate \$25,000 for the establishment of a fish-cultural station in the State of Utah, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce and Labor.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DELEGATE FROM ALASKA.

The bill (S. 956) providing for the election of a Delegate to the House of Representatives from the district of Alaska was considered as in Committee of the Whole.

Mr. BACON. Mr. President, I assume that the bill comes from the Committee on Territories?

The VICE-PRESIDENT. It was reported from the Committee on Territories.

Mr. BACON. I desire to ask the Senator from Minnesota [Mr. NELSON], who is in charge of the bill, whether or not the particular provision in the bill which gives to the Delegate only his actual expenses from his place of residence to Seattle, which is a proper provision I think, has any corresponding provision in the case of the Delegate from Hawaii?

Mr. NELSON. I am not familiar with that case. I am not sure, but it seems to me there was something of the kind in the bill. The Delegate from Alaska will get his mileage from Seattle—from the Pacific coast—and then his actual expenses when he travels outside of the mainland and in his own Territory. The distance is so immense that if a Delegate were elected from a remote corner of Alaska, the mileage would be enormous, and so we put in that precautionary measure.

Mr. BACON. I think the provision is an eminently proper one, and in listening to the reading of the bill, it occurred to me that there ought to be a similar provision with reference to the Delegate from Hawaii.

Mr. KEAN. We are not now legislating for Hawaii.

Mr. BACON. He should get his actual traveling expenses, say, from Hawaii to San Francisco. I did not know what might be the case. I believe that that matter, however, is within the jurisdiction of a different committee. That fact did not occur to me at the time I made the inquiry.

Mr. NELSON. I am not familiar with that matter, but I will say that this provision was in a similar delegate bill, which passed the House of Representatives at the last session, in respect to Alaska.

Mr. BACON. This is a Senate bill, is it not?

Mr. NELSON. This is a Senate bill, but a House bill substantially the same came over from that body last session.

Mr. BACON. I wish to ask the Senator another question; and that is whether or not the committee has considered the question of the propriety of the organization of a Territorial legislature in Alaska?

Mr. NELSON. We have not.

Mr. BACON. Of course, I recognize that the conditions there are peculiar, and there may be good reasons why there should not be such an organization.

Mr. NELSON. We have not considered that question, I will say to the Senator from Georgia. The committee would probably be divided on it. But as to the matter of a Delegate from Alaska, we are all in accord. We all feel that that great big country ought to have a representative in the Congress to advise Congress as to the needs of the Territory.

Mr. BACON. I quite agree with the committee in that regard, and unless there are peculiar reasons, on account of the immense territory and the separate localities in which the different communities are located, it seems to me there are there population and interests enough of a local character to justify the organization of a Territorial government, which is enjoyed by every other Territory, certainly on the mainland of the United States, and even by the Territory of Hawaii.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONTRACTS WITH THE DISTRICT OF COLUMBIA.

The bill (S. 69) regulating the retent on contracts with the District of Columbia, was announced as the next business in order on the Calendar.

Mr. GAMBLE. I suggest that the bill go over, retaining its place on the Calendar, without prejudice. A similar bill, or one identical in its provisions, passed the House on Monday, and is now pending before the Committee on the District of Columbia.

The VICE-PRESIDENT. The bill will go over, retaining its place on the Calendar.

SCHOOL OF FORESTRY IN NORTH DAKOTA.

The bill (S. 2451) granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry, was considered as in Committee of the Whole.

Mr. KEAN. Let the report be read.

The VICE-PRESIDENT. At the request of the Senator from New Jersey, the report will be read.

Mr. HANSBROUGH. I suggest to the Senator from New Jersey that it will be unnecessary to read all of the report.

Mr. KEAN. Then let the Senator make a statement.

Mr. BEVERIDGE. I was going to suggest that.

Mr. KEAN. Yes; let the Senator from North Dakota explain it.

Mr. HANSBROUGH. I suggest that the first paragraph at the top of page 2 of the report be read, as it contains the information the Senator probably desires to have.

Mr. BEVERIDGE. I suggest that brevity will be secured if the Senator will simply explain it.

Mr. HANSBROUGH. I think it would be impossible to make a better explanation in as short a space than is made in the paragraph I have indicated.

Mr. BEVERIDGE. Very well.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read the following extract from the report submitted by Mr. HANSBROUGH January 24, 1906:

By the act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States (chap. 180, 25 Stat. L.), there were granted to the State of North Dakota, in addition to other lands, 170,000 acres for apportionment for such other educational and charitable purposes other than those therein named. These lands, by a provision in the constitution of North Dakota, were divided as follows: Twenty thousand acres to the hospital for the insane, 40,000 acres for the Soldiers' Home, 30,000 acres for a blind asylum, 40,000 acres for industrial and school of manual training, and 40,000 acres for a scientific school. This exhausted the grant of 170,000 acres and left nothing for the school of forestry, which, by the same constitutional provision, was to be located at some point in McHenry, Ward, Bottineau, or Rolette counties, as might be determined upon by an election to be held for that purpose. At the election held Bottineau, Bottineau County, was selected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF RANGE LIGHTS.

The bill (S. 3416) to prohibit any vessel from anchoring in such manner as to obstruct or interfere with the range lights established in any navigable waters of the United States by the United States Light-House Board was considered as in Committee of the Whole. It provides that it shall be unlawful for any vessel to anchor on the range line of any range lights established by the United States Light-House Board in any navigable waters of the United States, and the master of any vessel so anchoring shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$50.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REVENUE-CUTTER SERVICE AT NEW BEDFORD, MASS.

The bill (S. 3409) for the construction of an able seagoing tug for the Revenue-Cutter Service for New Bedford, Mass., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to cause to be constructed an able seagoing tug for the Revenue-Cutter Service, to be stationed at New Bedford, Mass., and appropriates \$175,000 for this purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MONONGAHELA RIVER (PA.) BRIDGE.

The bill (H. R. 11045) to amend an act entitled "An act to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania," approved February 21, 1903, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ST. ANDREWS BAY (FLA.) BRIDGE.

The bill (H. R. 11263) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FISH-CULTURAL STATIONS ON PUGET SOUND.

The bill (S. 1462) to establish one or more fish-cultural stations on Puget Sound, State of Washington, was considered as in Committee of the Whole. It proposes to appropriate \$50,000 for the establishment of one or more fish-cultural stations on Puget Sound, State of Washington, for the propagation of salmon and other food fishes, including purchase of sites, construction of buildings and ponds, purchase and hire of boats and equipment, and such temporary help as may be required for the construction and operation of the fish-cultural stations, at a suitable point or points to be selected by the Secretary of Commerce and Labor, the number of fish-cultural stations to be determined by the Secretary of Commerce and Labor.

Mr. KEAN. The bill seems to be a little unusual. It provides for one or more stations. It is usual to establish one station. There may be a report accompanying the bill. I have nothing to urge against the bill, of course, and would be very

glad to have the fish-cultural stations established. I like to see the salmon fisheries of the Pacific coast improved.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The report will be read.

The Secretary read the report, submitted by Mr. HOPKINS on the 25th instant, as follows:

The Committee on Fisheries, to whom was referred the bill (S. 1462) providing for the establishment of one or more fish-cultural stations on Puget Sound, State of Washington, have examined the same and recommend that the bill pass without amendment.

The Secretary of Commerce and Labor, to whom the Committee on Fisheries referred the bill for investigation, under date of January 25, 1906, recommended the passage of the bill in question.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT OF SALT LAKE CITY, UTAH.

The bill (S. 3263) to amend an act entitled "An act to establish a port of delivery at Salt Lake City, Utah," was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, in line 9, before the word "hundred" to strike out "eight" and insert "five;" so as to make the bill read:

Be it enacted, etc., That section 2 of an act entitled "An act to establish a port of delivery at Salt Lake City, Utah," approved March 18, 1904, be, and the same is hereby, amended to read as follows:

"Sec. 2. That there shall be appointed a surveyor of customs to reside at said port, whose salary shall be \$1,500 per annum, in lieu of all fees and commissions of every kind whatsoever."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

FOG SIGNAL AT HUMBOLDT BAY, CALIFORNIA.

The bill (S. 2274) to establish a fog signal on one of the jetties at the entrance to the harbor at Humboldt Bay, California, was considered as in Committee of the Whole. It provides that there shall be established on one of the jetties at the entrance to the harbor at Humboldt Bay, California, a fog signal, at a cost not to exceed \$15,000.

The bill was reported to the Senate without amendment.

Mr. LODGE. Mr. President, I merely rose to make an inquiry. Is this the last of the bills establishing light-houses or fog signals on the Pacific coast?

The PRESIDING OFFICER. The Chair will state that it is, until others have been introduced and reported favorably by the Committee on Commerce.

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

DAM IN COFFEE COUNTY, ALA.

The bill (H. R. 7085) authorizing the Pea River Power Company to erect a dam in Coffee County, Ala., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FISH-CULTURAL STATION IN WYOMING.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 529) to promote the national defense, to create a force of naval volunteers, to establish American ocean mail lines to foreign markets, to promote commerce, and to provide revenue from tonnage.

Mr. WARREN. I ask the Senator from New Hampshire if he will yield to me for a moment?

Mr. GALLINGER. I will yield to the Senator from Wyoming if the bill he wishes to call up does not provoke debate.

Mr. WARREN. I ask unanimous consent to call up the bill (S. 609) to establish a fish-hatching and fish station in the State of Wyoming.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Fisheries with an amendment, at the end of the bill to strike out the words "United States Commissioner of Fish and Fisheries" and insert the words "Secretary of Commerce and Labor;" so as to make the bill read:

Be it enacted, etc., That the sum of \$25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station in the State of Wyoming, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce and Labor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The title was amended so as to read: "A bill to establish a fish-cultural station in the State of Wyoming."

THE MERCHANT MARINE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 529) to promote the national defense, to create a force of naval volunteers, to establish American ocean mail lines to foreign markets, to promote commerce, and to provide revenue from tonnage.

Mr. GALLINGER. Mr. President, I should like the attention of the Senator from Georgia [Mr. BACON] for a moment, if I may have it.

The Senator from Georgia yesterday asked the very proper question as to whether any of the countries of the world grant subsidies or governmental help in any way to cargo ships. I said offhand to the Senator that I was sure France did it, and I thought other countries did the same thing. The Senator requested me to look the matter up and make a statement concerning it, which I am now prepared to do.

Mr. BACON. In order that the Senator may not be interrupted by me, and in order that he may direct his reply particularly to the request which I made, I desire to say that my inquiry went a little further than that now indicated by the Senator.

As I understand the pending bill, it proposes that there shall be \$5 a ton paid per annum to each vessel engaged in the foreign trade, without any other limitation or stipulation; in other words, that the sole requirement is that the vessel shall be engaged in foreign trade, and the sole question when so engaged is that it shall have been engaged for one year. Then there are other provisions as to fractional parts of the year; but, speaking generally, the bill has reference to an annual payment of \$5 per ton.

Mr. GALLINGER. Yes.

Mr. BACON. Therefore I hope the Senator in giving us the information will so shape it that we may know specifically whether the bounty or subsidy paid by other nations is one upon those two conditions alone or whether it has any reference to the question of the opening of trade in particular directions or as to the speed or number of miles. As I understand the pending bill, it has no reference whatever to the number of miles or to the particular countries to which the vessels would go.

Mr. GALLINGER. It is possible, Mr. President, that I may not be able to specifically answer the inquiry of the Senator on the latter point, but in a general way I can do so.

I find that in addition to France, Japan, Italy, and Austria all grant subsidies to all cargo vessels engaged in foreign commerce, in addition to giving subsidies to their mail lines. It is a significant fact, Mr. President, that France had only two lines of cargo steamers before she adopted this policy, while now she has an enormous tonnage engaged in that business.

Mr. BACON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Georgia?

Mr. GALLINGER. Certainly.

Mr. BACON. Of course the Senator is speaking loud enough, but I really do not catch what he says on account of the hum of conversation in the Chamber.

Mr. GALLINGER. I will repeat it, Mr. President. In addition to France, I find that Japan, Italy, and Austria all grant subsidies to the cargo vessels engaged in foreign commerce, and in addition they give subsidies to their mail lines. I observed, furthermore, that my investigations lead me to the conclusion that prior to granting these subsidies to the French cargo vessels they had only two lines of cargo steamers, while now they have a very heavy tonnage engaged in that business.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. GALLINGER. Certainly.

Mr. NEWLANDS. Will the Senator inform us what the tonnage of France now is and what the amount of the increase has been?

Mr. GALLINGER. If the Senator will turn to this little document, which I had printed for the information of the Senate, he will find that very definitely stated. It is Senate Document No. 141 of this session. I feel very sure that it is in that document. If it is not, I will get the information for the Senator.

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Minnesota?

Mr. GALLINGER. Yes; except that I should like to conclude my statement. It will take but a moment.

Mr. NELSON. Very well.

Mr. GALLINGER. Germany does not give subsidies or subventions directly to her cargo ships, but in an indirect way she accomplished that same purpose. As an illustration, Germany hauls at cost all material on the German railways that are intended for shipbuilding, and of course that applies to the so-called cargo vessels as well as to those engaged in transporting the mails.

Mr. BACON. Mr. President, will the Senator please return to the matter of the subsidy given by the French Government? Because I want to have a little more definite information in regard to that matter.

Mr. GALLINGER. I was going to make an additional statement concerning it.

Mr. BACON. I thought the Senator had passed from the French subsidy, and that is the reason why I interrupted him. I will not interrupt him further at this time.

Mr. GALLINGER. I was going to return to that. In very many ways there are preferential rates allowed on shipbuilding material in Germany. That goes to help the shipbuilding industry, and of course it will help the cargo carriers as well as the faster ships. As to the Senator's point—he urged it the other day with a good deal of force. I tried to make a reply to it by saying that the cargo carriers we have provided for in the bill are practically a homogeneous class; that their rates of speed are not very different, the minimum, perhaps, being 10 knots and the maximum 13 knots. So they are a homogeneous class, and the matter of paying them by the mile would not be different to one steamer from what it would be to another.

Mr. BACON. Does the Senator refer to the class known generally as "tramps?"

Mr. GALLINGER. Yes. I have not had time to examine critically into the matter whether any of the other governments do pay by the ton or not. I think I am correct in saying that in some instances they are required to make some speed. I think so, and yet I am not positive on that point.

Mr. FRYE. Sailing vessels, of course, could not be required to make speed.

Mr. GALLINGER. As the Senator from Maine suggests, they could not require speed of sailing vessels. That is a well-recognized principle and fact.

Mr. BACON. Sailing vessels cut very little figure in the equation now.

Mr. GALLINGER. I hope they will cut something of a figure in our commerce, if this bill becomes a law.

Mr. BACON. I am speaking generally of the commerce of the world; it is carried by steamships.

Mr. GALLINGER. That is true as a rule. The point I wanted to emphasize, and the only point I cared to make at this time, was that the proposed subvention to cargo carriers is not a violent departure from the custom of the maritime nations of the world. England does not subsidize her cargo carriers, and Germany only in an indirect way, but most of the other maritime governments do give subventions to vessels of that class.

That, Mr. President, is all I care to say on that point. I will look the matter up further.

Mr. BACON. I am very much obliged to the Senator for the information; and as he is promising to give us additional information I wish to direct his attention to the definite and specific points which I think it is important we should know. Of course the matter as to what is done by other nations is only valuable to us as an evidence of what is considered good policy by others. It may or may not be good policy for ourselves. The distinction I wish to call the attention of the Senator to, as the one upon which I should like to have the information, is not simply met by the term "cargo carrier." I desire the information as to whether or not these other governments ignore what is to my mind an important feature in this matter, and that is, the opening of trade between this country and other countries where we now have little or no trade, and between which countries and our country we now have no direct lines of communication.

Mr. GALLINGER. I think I can answer the Senator on that point by saying that I do not think their cargo-carrier ships are required to run from one port to another. Their mail lines are required to do that.

Mr. BACON. Exactly; but I wanted, if the Senator could secure the information, something definite upon that line in order that we might be informed whether it is true that the governments which are cited as governments which subsidize their vessels are indifferent to that particular feature, which I regard as the most important feature, or whether it is, in fact, true that while they do give subsidies to cargo carriers, they,

in a greater or less degree, endeavor to guard and promote particular lines of communication where their development is deemed important and where their want of development is now the cause of the interest manifested and the effort made to remedy it.

Mr. GALLINGER. I think it goes without saying, Mr. President, that it would be impossible for any country to require a cargo ship to obtain cargo at a given port and carry it to another given port. That could not be done, I take it.

Mr. BACON. Then, that brings the matter to what I consider to be a somewhat definite proposition, that the Senator regards the cargo subsidy as one which will not meet the requirement or the desire for the development of trade on lines of communication between any given points.

Mr. GALLINGER. If the Senator will permit me, I regard it differently from that. I consider it very desirable that our own merchandise should be conveyed in our own ships. The American people, so far as the testimony taken by the Merchant Marine Commission is concerned—I will say the business men and manufacturers—do regard that as a very important matter. I regard it myself as important that we should encourage these cargo carriers, sail ships as well as steam, for the purpose of training seamen. I think that a very important consideration.

Mr. BACON. The Senator misunderstood my last remark, Mr. President. I was not speaking at that particular time of the question whether or not the cargo carrier was important. I understood the reply of the Senator to be directed to that inquiry, which I did not make. The inquiry I made of the Senator was this: I asked him if, in view of what he had said as to the impracticability of subsidizing cargo carriers between certain points, the conclusion was not a proper one that if the country has in view the development of trade between certain points or the establishment of lines of ships, either steamships or sailing vessels, between certain points, the subsidizing of the general cargo carrier is not the way to accomplish that purpose.

Mr. GALLINGER. Well, Mr. President, by and large, I would agree with the Senator in that proposition; but the Senator will note that in this bill we have suggested the establishment of ten or eleven lines of faster steamships, to go to countries where we have very little trade now, for that very purpose.

Mr. BACON. I understand that; and, as I suggested to the Senator yesterday, I am very much in sympathy with that particular part of his bill; but I want to differentiate the two things, in order that it may be clearly understood what it is hoped to accomplish by the two different propositions, the two different schemes. The two different schemes, as I understand, in this bill are, first, the scheme of the general cargo carrier, by which any ship engaged in foreign trade, regardless of what port it goes to or the number of miles it may traverse in going there, shall be paid \$5 per ton per annum; and the other is a proposition to establish some ten or twelve different lines of steamships, so far as that their establishment can be secured by the encouragement of giving liberal compensation for carrying the mails. The particular point upon which I wish to get the views of the Senator—because he has given this matter very careful thought and his view is very much more valuable than any suggestions I might make—is this: Before stating that, however, I will say that my object for desiring his plain statement in this particular upon the proposition is that what he now states, or what I now understand him to state, entirely agrees with my own opinion. I wish to have it made plain and to have it emphasized that in the one case the proposition to subsidize cargo ships is for the general encouragement of the building of ships and for the training of seamen, and for the additional purpose of providing for, or it may be of having, our foreign trade carried in American vessels rather than in foreign vessels; but that that particular proposition is not the one upon which there is reliance for the development of trade between our own country and particular countries with which we now have either no trade at all, or, if any trade, only an insignificant trade, and that that is not to be relied upon for the purpose of establishing lines of either steamships or sailing vessels between this country and those countries with which we have that lack of trade and lack of direct communication; but that the purpose to accomplish that latter end is the one which influenced the other provision of the bill where certain lines of ships are provided for, and large compensation provided for mails, in order that shipowners may be encouraged to put lines of steamships on those particular lines.

Mr. GALLINGER. Yes.

Mr. BACON. I deem the latter proposition as an extremely important one. I believe that the entire American people rec-

ognize the fact that it is of the utmost importance that we should have direct communication with countries where we now do not have direct communication, and that avenues of trade should be opened between this country and those countries for the purpose of the development of that trade and for the furnishing of a market to our own products in countries which now get those products from other countries. For instance, the countries which I have more particularly in mind and which I presume are more particularly in the minds of the people at large are the countries of South America with which we have now no direct communication to speak of; in fact, I do not know that we have any direct lines of steamships between this country and the main ports of South America and the ports of the United States.

Mr. GALLINGER. Only to Venezuela and the Isthmus of Panama.

Mr. BACON. But so far as Rio Janeiro and Buenos Ayres and other important South American ports are concerned we have none. Those are the great ports with which we desire to build up trade. If I am correctly informed, not only passengers, but freight going to those ports have first to go to England and then across the Atlantic the second time to get there.

Mr. GALLINGER. That is correct.

Mr. BACON. That is a very deplorable condition, and I recognize the fact that it is one which calls for very grave consideration on the part of the United States Government and for such proper encouragement as can be given within the limits of direct encouragement and assistance in liberal compensation for carrying the mails which would bring about those desirable ends.

For that reason I state to the Senator that I am very much in sympathy with that part of the bill; and while I do not wish to be committed finally to the support of that part of it without further examination of details, I am very much inclined to think that I should vote for so much of the bill as is limited to the giving of liberal mail compensation to proposed lines of steamships which are to be engaged in trade between the ports of the United States and ports of other countries, but especially those of South America where we now have no trade and no lines of communication, and where it is so important that we establish and develop such trade.

I think that the Senator would accomplish very much better an important part of what he has in view if the bill should be limited to the latter design, as is expressed in the fifth and sixth sections of the bill.

Mr. SPOONER. Mr. President—

The VICE-PRESIDENT. The Senator from New Hampshire [Mr. GALLINGER] is entitled to the floor. Does he yield to the Senator from Wisconsin?

Mr. GALLINGER. In a moment, Mr. President. I think it is proper before yielding that I should make a brief statement. As some other Senators have signified their purpose of discussing the bill to-day, I do not wish to occupy more time than is absolutely necessary. I rose simply to make a brief rejoinder to the interrogatory of the Senator from Georgia [Mr. BACON] and then I will yield to the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. I will take but a moment, Mr. President. This bill is a very great improvement upon any bill of the kind with which I have become at all familiar. I do not expect universal concurrence in that proposition, and I know I shall not get it. But there is one phase of the bill concerning which I should like to briefly interrogate the Senator who has it in charge. The bill provides—of course it is indefinite in its operations, as the Senator from New Hampshire [Mr. GALLINGER] said yesterday—that annual contracts are to be made, and also provides that no one ship shall receive this subvention for a longer period than ten years. Do I state that correctly?

Mr. GALLINGER. That is correct.

Mr. SPOONER. That leads me to ask the Senator what is the average life of a ship which would fall within the classes to be aided by this bill?

Mr. GALLINGER. I think about twenty years. The Senator from Maine [Mr. FRYE] can answer that more intelligently than I.

Mr. SPOONER. My recollection is that the Senator from Maine stated in the debate on the former subsidy bill that twenty years was the average life of such a ship. Now, if that be true, this is what troubles me about the bill: There will be ten years in the life of a ship during which it will receive no subvention. Can it be operated during that time in competition with other ships which do receive subventions?

Mr. GALLINGER. It may go into the coastwise trade after that.

Mr. SPOONER. It may; but suppose this develops very rapidly a fleet of ocean-going ships, as it may do?

Mr. GALLINGER. Well, if shipowners take this subvention, they understand what the terms of the contract are, and will have to take their chances after the ten years.

Mr. SPOONER. Is it a fair proposition to fix that limit? If I have one new seagoing ship, I would be entitled under the provisions of this bill to this subvention.

Mr. GALLINGER. For ten years.

Mr. SPOONER. For ten years. I might be induced to duplicate my ship, and I would be entitled to this subvention for ten years on that ship.

Mr. GALLINGER. Yes.

Mr. SPOONER. Then at the expiration of ten years, when those two ships are brought into competition with ships which are receiving this subsidy, would not that be an impossible competition?

Mr. GALLINGER. Well, it might under similar conditions. But the Senator will remember that there is an annual deterioration in ships; and I do not think the Government wants to give subventions to broken-down ships. A ship which has sailed for ten years is a second-hand ship.

Mr. SPOONER. But it may be a seaworthy ship.

Mr. GALLINGER. It may be seaworthy, but it may not be in condition to perform satisfactory service, although it may float.

Mr. FRYE. Does not the bill require that ships to receive subsidies at all shall be A1?

Mr. GALLINGER. Certainly.

Mr. FRYE. Then, at the end of ten years, if a ship still be A1, it will receive the subsidy?

Mr. SPOONER. But a ship may be kept A1 at the end of ten years or at the end of fifteen years, or possibly at the end of twenty years. Is the theory right? Ought that limit to be in the bill? Is it not put there to avert criticism of the bill because of its breadth and generosity rather than to do justice?

Mr. GALLINGER. No; I think not. I will be frank with the Senator and say that no such thought as that was in my mind. It seemed to the framers of the bill—and I take very little credit in the matter—that we ought to have first-class ships and that we ought not to be giving subventions to old hulks.

Mr. SPOONER. Is not an A1 ship a first-class ship? It may have been rebuilt practically a half dozen times.

Mr. GALLINGER. I understand that.

Mr. SPOONER. Then, why should they not have the subvention, if they keep their ships A1? The result of it would be, it seems to me, that a man who has two such ships, at the expiration of ten years will be obliged to go out of competition with subsidized ships, and to sell his ships to the company which has a great mass of ships and which can control the business and fix the price at such a rate that his ships would be useless.

Mr. GALLINGER. Well, Mr. President, there is something in the Senator's contention that is worthy of very serious consideration. I notice the varying objections that are raised to this bill. Some Senators denounce shipbuilding as a trust which should not receive any consideration, while other Senators are disturbed because this bill does not go far enough.

Mr. SPOONER. I am not doing that.

Mr. GALLINGER. No; the Senator is anxious for shipbuilders to get every possible consideration. Now, I take it that if this bill should become a law and the shipbuilders should do what they say they are willing to do—put their ships into commission and build new ships—they, understanding the conditions in this bill, must take their chances; but very likely the bill can be amended in such a way as to make it a better bill.

Mr. SPOONER. I am not opposing the bill.

Mr. GALLINGER. I understand that.

Mr. SPOONER. But I want to call the attention of the Senator solemnly to what seems to me to be possibly a very serious defect in the scheme.

One thing in favor of this bill is the universality of its operation. It is a promise or an offer to every man in the United States who will build and put upon the sea a ship fit to engage in foreign commerce; but will it encourage men of small means, relatively, to build one ship or two ships of the burthen necessary to engage in foreign commerce, if they know that at the expiration of ten years those ships will no longer receive this aid; will no longer be helped by the Government to equalize the difference in the cost of operation—33 per cent, and not greatly to be diminished, all concede—but will be brought into competition with subsidized ships? A man would have to give away his ship when the subsidy ceases to be paid. Will it not

be an inevitable result of that provision in the bill that ships will not be built, except by the great lines? There will be no encouragement to the great mass of men who wish, in a small way relatively, to make shipping their business.

Mr. FRYE. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Maine?

Mr. GALLINGER. I yield to any Senator.

Mr. FRYE. Would not an amendment that the contracts be made so long as the ships were rated A1 answer the Senator's objection?

Mr. SPOONER. Certainly; that is another thing.

Mr. BACON. I hope the Senator from Maine will speak so that we can hear him.

Mr. FRYE. He generally does, I guess.

Mr. BACON. Yes, but the Senator is speaking with his back toward us.

Mr. FRYE. I asked if the bill were so amended as to allow these contracts to be made with ships so long as they were rated A1, would it not satisfy the objection made by the Senator from Wisconsin; and then I was going to suggest to the Senator from New Hampshire that it seems to me that that is reasonable. I should like to have him take that into consideration before the bill is finally acted upon.

Mr. GALLINGER. I have invited criticism and suggestions in the way of amendment to the bill. I have no pride of opinion about it. The Senator knows that.

Mr. SPOONER. It is not that. Otherwise it is to me as certain as that the sun will come up in the morning that the operation of this bill would encourage the construction of ships by corporations of great capital and discourage the construction of ships by men of comparatively small means, who can own but one ship or two ships. One great advantage of this bill is, as the whole theory of it contemplates, that it is open to everybody.

Now, as the Senator from Maine [Mr. FRYE] says, if this subsidy is paid so long as the Government officials class a ship as an A1 ship—and that was the provision, as I remember it, in the Hanna-Frye bill—then that difficulty is avoided. I commend the suggestion to the prayerful consideration of my friend from New Hampshire.

Mr. GALLINGER. It will have very careful consideration.

Mr. FRYE. The Senator from Wisconsin said "prayerful consideration."

Mr. GALLINGER. It shall have "prayerful" as well as careful consideration.

A single word, Mr. President, in reference to the cargo vessels, and then I will yield to other Senators who desire to speak. I will not indulge in any lengthy remarks, because the Senator from Pennsylvania [Mr. PENROSE] is prepared to proceed with the discussion of this bill.

It would be a rash man who would flatter himself that any bill on this or any allied subject could be framed that would obviate all objections. One of the chief objections that was urged, and persistently urged, against the bill which the distinguished chairman of the Committee on Commerce [Mr. FRYE] had before the Senate a few years ago was that it did not take care of these cargo carriers; that it was a bill in the interest of the swift steamships. I confess that, acting in conjunction with my associates on the Merchant Marine Commission, we have given a great deal of consideration to the matter of providing for the cargo carriers, and we thought the provision in the bill for their benefit a very desirable one, and in that respect an improvement over the bill of the Senator from Maine. Of course the Senator does not agree to that, but we felt that way, and I do not expect that provision will be stricken from the bill; at least, I hope not.

I have been flattering myself with the hope that the Senator from Georgia [Mr. BACON] will not only find his way clear to vote for the latter part of the bill, but for the bill as a whole, because there is a great deal of interest in this bill in his own State.

Mr. BACON. I will state to the Senator that I propose to emphasize my opposition to the first part of the bill by moving to strike it out.

Mr. GALLINGER. I expected that. Now, the Senator from Pennsylvania [Mr. PENROSE] desires to speak on the bill, and I yield to him.

Mr. PENROSE. Mr. President, were it not for the fact that the chairman of the Merchant Marine Commission, having this bill in charge upon the floor of the Senate, has informed me that he is not yet ready to ask the Senate to vote upon the measure, in consequence of the fact that he has under consideration certain amendments which have been suggested during this discussion, I would gladly forego this opportunity to make any remarks upon the bill, because I can not but feel that almost all that is

possible has been said on each side of this controversy, and the question has settled down to an issue between those who would do something, even if it be but to a partial extent, to rehabilitate our merchant marine, and those who would entirely abandon the field to foreign enterprise and activity. And yet, Mr. President, as a member of the Merchant Marine Commission, which sat at many important points on the Atlantic seaboard, upon the Gulf, at the ports on the Great Lakes, and on the Pacific slope, and, as a member of the Committee on Commerce, I have been so deeply impressed with the importance of this question that I do not altogether regret that the delay in coming to a vote upon the measure has given me this opportunity, and more particularly do I have this feeling because there is no section of our great country more vitally interested in the rehabilitation of our merchant marine than the great State which I in part represent in this body.

Upon the shores of the Delaware we should see, were our shipbuilding industry properly protected, a center of shipbuilding activity unequaled at any other point in the world. Upon the shores of that great stream in the States of Pennsylvania, New Jersey, and Delaware are combined all the elements which contribute to the shipbuilding industry. There is found, within a reasonable proximity to the ocean, fresh water wherein ships can be repaired or stored, and in the fresh-water basin at the League Island Navy-Yard, at the junction of the Schuylkill and the Delaware, there is an area of water sufficient to store the whole American Navy were it necessary.

Philadelphia, Chester, Camden, and Wilmington are all great cities situated near an unlimited supply of competent, skilled, and unskilled labor and near all the sources of supplies and commodities entering into the construction of a merchant or a battle ship; and yet, Mr. President, I am confronted by the fact that, including all the seagoing steam vessels built in the United States during the year ending December 31, 1905, the total was only eighteen vessels of 35,199 gross tons. In addition to this, during the calendar year 1905, seventeen yachts of 753 gross tons were built, but they are hardly worth considering in this connection.

More than one-half of this tonnage is one ship of 20,714 tons, built for James J. Hill's railroad connections at Puget Sound for the line between Japan and China. On the Delaware River, to which I have referred, only 4 steamers, of 5,932 gross tons, were built.

The above statement can well be compared with the output of Great Britain and Ireland during the calendar year 1905. The official figures have not reached me, but the Shipping World, a London publication and a recognized authority on shipping matters abroad, compiles every year from returns furnished by shipbuilders a table showing the construction of the United Kingdom during the past calendar year. This is printed shortly after the 1st of January, in advance of the official figures, and has just been received in this country. The figures are considered entirely trustworthy. They show the output on the Clyde and in Scotland as 407 vessels, of a gross tonnage of 571,287. The shipbuilding firm of Harland & Wolff, of Belfast, Ireland, last year built 9 steamers, of 85,287 gross tons, or more than double the output of seagoing steam tonnage of all our American yards. There were, indeed, six single British shipyards each of which built more seagoing steam tonnage during the last calendar year than was built in the entire United States during the same period.

According to the Shipping World of January 3, 1906, the total output of the different centers of shipbuilding in the United Kingdom for 1905 was as follows:

	Num-ber.	Tons.
The Clyde and Scotland.....	407	571,287
The Tyne.....	135	322,749
The Wear.....	101	316,940
The Hartlepool.....	35	119,517
The Tees.....	40	132,751
The Humber.....	108	29,467
The Thames.....	138	12,338
The Channel and West Coast.....	192	48,270
Ireland.....	35	144,743
Total.....	1,191	1,698,152

The report of the Commissioner of Navigation shows, on pages 10 to 13, the steel vessels under construction or under contract at the beginning of the fiscal year July 1, 1905. At that date there were 49 seagoing merchant steel vessels, of 86,836 gross tons, under construction or under contract. Some of these have since been completed, and the work under contract on some of the others is probably not yet any further than the assembling of materials.

No similar tables are at hand of foreign vessels under construction at the same time. In the United Kingdom, according to Lloyd's statement for the world of vessels under construction on September 30, 1905, there were 474 vessels, of 1,325,328 gross tons, under construction. It will be noted that this return of Lloyds shows only 26 seagoing vessels, of 38,474 gross tons, under construction in the United States, of which 12 vessels, of 24,824 gross tons, were under construction on the Delaware. Lloyd's figures are a slight underestimate for the United States. The Cramps, for example, are building four steamers for the New York and Cuba Mail Line (two of which are to replace vessels they sold to the Panama Canal Commission), aggregating about 28,000 tons. These were not contracted for until August, and therefore were not covered by Lloyds' return, which allows only 24,824 under construction on the Delaware.

Making allowances for differences due to the fact that there are included in these figures contracts for ships as well as for ships the keels of which have been actually laid and for the fact that the ships covered in the table for July 1, 1905, by this time are either completed or in some instances very close to completion, the Lloyds tables are a fair statement of the construction for the ocean trade in progress in American and foreign yards.

Mr. President, Pennsylvania as a State and Philadelphia and Chester as shipbuilding cities are intensely interested in the success of this effort to revive the American merchant marine in ocean commerce. No people have suffered worse than theirs from its long decline. No people are more familiar with the causes that have brought this paralysis upon our shipping trade, and none will more gratefully applaud the first promise of its restoration.

Pennsylvania ship owners and builders are men of splendid courage and tenacity. When, after the civil war, they found their Government protecting everything and everybody else and forgetting them, they did not haul down their flag and quit the sea without a struggle.

A BRAVE TRIAL.

In 1872-73 a resolute company of Philadelphia business men, including some steamship managers of very great ability and long experience, built four large ocean steamers in the Cramp yard of excellent American iron, and put them into the North Atlantic trade to Liverpool. These noble steamers bore the characteristic American names of Pennsylvania, Indiana, Ohio, and Illinois. They were among the largest, swiftest, and most efficient passenger and cargo steamers that had thus far been constructed, superior in size, speed, and seaworthiness to their competitors of the foreign lines to Europe.

They proved to be favorite ships with passengers and merchants. Indeed, they were regarded as the proudest vessels of their day. President Grant sailed in one of these American liners on the first voyage of his long journey around the world. The four ships performed a constant service for many years from Philadelphia and New York to Liverpool and Antwerp, and all four are still afloat at an age when nearly all of their foreign rivals have been worn out and abandoned.

A SPLENDID RECORD.

The American Line operating these ships never lost a ship or a passenger, or so much as a mail bag—a record for safety and regularity unmatched in the whole record of trans-Atlantic navigation.

Yet, this American Line, though undoubtedly the best managed beneath any flag, was never profitable to its owners, and they built no more American ships. They had made a thorough trial, and had proved that an American steamship line, unsubsidized, could not maintain itself against subsidized British competition. And there was another handicap besides subsidies—the higher American wages and cost of maintenance.

President Cleveland in his first Administration sent a New England shipmaster, a Democrat of course and also an earnest free trader, to be our consul at Liverpool. Captain Russell made a careful investigation of shipping conditions at the great English port and reported to the State Department that he found the American steamships from Philadelphia paying their officers and crews wages 37 per cent higher than were paid on British ships of the same class in the same trade and supplying them with food so much superior in quality and variety that the cost of maintenance was 27 per cent greater.

The higher wages of American factories are protected by the tariff, but there is no protection for American ships in over-seas commerce. This Philadelphia company had tried patiently and bravely to sail American ships under the American flag on the North Atlantic. They could not meet the double handicap of foreign wages and foreign subsidies, and the United States Government would give them no subsidy whatever for

carrying the mails. The result was inevitable. When a little later another Philadelphia company, the International, was formed, it built its steamers in England, in yards developed by the mail subsidies there, and, easily procuring a subsidy from the Belgian Government, flew the Belgian flag over its American-owned ships.

ONLY TEN TRANSATLANTIC SHIPS.

For twenty years after 1873 no trans-Atlantic steamers were launched on the Delaware River. Lacking protection, this industry was dead. Ten years ago the *St. Louis* and *St. Paul* were constructed at the Cramp shipyard to run under the postal-subsidy law of 1891, and four other trans-Atlantic steamers have since been built on the Delaware. Thus, ten trans-Atlantic steamships in thirty years—only ten in a generation—is the record of the greatest shipbuilding center in America. While the Delaware has launched ten, the Clyde has launched hundreds.

This is the humiliating record of our one unprotected industry. It can not be charged up to the steel trust or the high price of materials, for during half of this time iron and steel and everything else required for the construction, equipment, or repair of vessels for the foreign trade or for foreign account and ownership have been on the tariff-free list.

Mr. Edwin S. Cramp, vice-president of the William Cramp & Sons Ship and Engine Building Company, states in a letter to the Senator from New Hampshire [Mr. GALLINGER], chairman of the Merchant Marine Commission, that the price of the steel shapes and plates of each of four West India steamers now building in his yard—building for one of our few mail-subsidized companies—is only \$11,208 greater than if the material had been purchased abroad—only \$11,208 for a vessel costing complete about \$900,000, or a little more than 1 per cent.

Whatever difference in the cost of ocean ships there is now between this country and Europe is due almost entirely to labor. Will you cut American labor down? And if you will not cut it down, will you not protect it in the shipyards and on shipboard as you protect it in your factories?

TIME FOR A CHANGE.

Nearly two years of careful inquiry by the Merchant Marine Commission have proved to the satisfaction of all of the members of the Commission that American shipping in ocean trade can not revive without some form of national encouragement, and to the satisfaction of the majority of the Commission that the best form of national encouragement, indeed, the only feasible form, is a carefully guarded subsidy or subvention such as is proposed for both mail steamers and cargo vessels in the present bill. No opposition to this measure can be very impressive or convincing which contents itself with mere picking at details, with negation and objection.

We have waited forty years for our ocean shipping to revive without protection, only to see our tonnage shrink to one-third of that of 1861. The case has become desperate, and those who do not like the remedy the Merchant Marine Commission offers must bestir themselves to get something better if they can. This is no time for fault-finding. We have debated and theorized and scolded long enough. What is needed now is action, immediate and positive.

A BENEFIT TO THE WHOLE NATION.

The enactment of this bill will be of very large direct and indirect benefit to Pennsylvania, greatest of our ocean shipbuilding States and greatest manufacturer of steel and iron. But it will be of very large advantage also to the States of the South, whose numerous harbors and resources in timber, ore, and coal give them a fair chance in competition with Pennsylvania. It will be of great advantage to the Western States that feed our wage-earners from the products of their farms and supply a large part of the shipyard materials.

The building of a new fleet of American ocean ships will enhance the value of every acre of timber land or iron land on Lake Superior. It will mean more business for the lumbermen and miners and more business for the farmers of the great grain and cattle regions to keep the new ships filled with cargoes after they are launched.

For four years up to last winter no order had been given to any Delaware shipyard, or, indeed, to any shipyard in America, for a steamship for overseas trade. Even now the four new Ward Line steamers in the Cramp yard are the only ships building anywhere in the country exclusively for foreign commerce. In the midst of the highest prosperity in all other industries ocean shipbuilding has been almost dead and one-half of our skilled shipyard mechanics idle or employed at rough and unskilled common labor.

TO SAVE OUR SHIPYARDS.

We have in America some of the greatest and best shipyards in the world, managed by men of the most advanced technical

attainments, and equipped to build the best merchant marine, as they have built the best navy, that ever floated. But hereafter these yards can not hope for full and constant employment in the construction of battle ships, for we have launched a strong fleet and the need now is only for a moderate increase. If the great shipyards of America are to live and prosper hereafter, it must be chiefly by the building and repair of merchant ships. The very existence of these shipyards, with their thousands of stockholders, their tens of thousands of workmen, and all the trades and industries in many States that contribute to the completed ship, hangs upon the enactment of this legislation.

It is in the power of the Senate by its vote upon this bill to determine whether American ocean shipbuilding shall live—whether it at last shall have protection and shall grow and prosper as has every other American industry—or whether it shall wither and vanish until our flag at sea away from our own coasts shall vanish also, save as borne by some chance yacht or man-of-war.

It is true that some millions of dollars of American money are invested in steamships under foreign colors. But one thing must be borne in mind, and that is that the mere passage of a free-ship law would not bring this American-owned foreign shipping beneath the flag of the United States. A year ago the Merchant Marine Commission caused a special inquiry to be sent to the principal American owners of foreign steamship property—to the International Mercantile Marine Company, W. R. Grace & Co., the Anglo-American Oil Company, and others. These concerns were asked the direct question whether they would hoist the American flag above their ships if American registry were given them by act of Congress. One and all replied that they would not do this; that a free-ship law would be absolutely null and void; that they could not afford to accept American registry unless some offset were provided through subsidy, discriminating duty, or otherwise for the higher range of wages of American officers and crews and the higher standard of maintenance of American vessels.

Indeed, there are acts of Congress now granting registry to foreign steamships which have never been availed of by the owners to whom American registry was offered. They sought this registry, but on consideration preferred to continue to run beneath foreign flags.

The case is exactly parallel to American ownership of foreign factories employing labor at low wages on goods intended for use in the United States. If American investors in these foreign factories were allowed by act of Congress to transfer their whole machinery and equipment free of duty to this country, they would not do this unless they could have some protection or encouragement by tariff to enable them to offset the higher labor cost of operation in America.

This inquiry of the Merchant Marine Commission therefore has demonstrated that a free-ship law would have absolutely no effect, in the judgment of American investors, in foreign shipping. They would not bring their foreign vessels under the American flag if they were given an opportunity unless, indeed, a subsidy or discriminating duty compensated them for the higher wages they would have to pay and the better food they would have to provide for American officers and for seamen shipped in American ports.

There are those who contend that it is sufficient that American capital invested in foreign shipping in our carrying trade brings dividends from its investment to America. That, of course, is all right from the standpoint of the capitalist. He gets his money out of his foreign shipping. It comes into this country. It is spent at home. To that extent the country is the gainer.

But where does the American wage-earner come in? Where is the benefit to him of American investment in foreign shipping? For it is a well-known fact that these foreign steamship lines, even when owned and controlled by American capital, build their ships abroad, repair them abroad, supply them abroad, and employ no American labor whatsoever, except the rough cargo handlers on our city docks.

There was a time when American officers and sailors, driven out of our disappearing wooden sailing ships, were to be found in considerable numbers on the decks of ships of foreign nations. But that time has passed. These officers and men themselves have disappeared. The ships which cross and recross the North Atlantic, flying foreign colors and carrying our mails and freight and passengers, are officered and manned now exclusively by foreigners.

DESTITUTE ABROAD.

They carry their boycott of all things American—except American dollars—so far that they will not employ American seamen except to take the places of chance deserters in our ports. Thus this passage in a recent newspaper is significant:

ANTWERP, December 3, 1905.

Numbers of American sailors who are shipped on board foreign vessels in American ports are discharged on their arrival in Europe. They are unable to obtain return engagements on account of the prejudices of foreign owners and the local authorities can not assist in their relief. As a consequence many of these sailors are now destitute in every port. For the relief of these sailors the American colony yesterday gave a gala performance under the patronage of the American and British consuls.

Is this a thing to be proud of—that the few American sailors who gain employment on foreign ships are turned adrift abroad to become objects of charity in foreign countries? Meanwhile the millions of American money invested in foreign shipping are training foreign sailors as a naval reserve for foreign governments, our rivals in trade and possible enemies in war.

Secretary Taft and the General Staff of the Army declare that because of the shrinkage of our merchant shipping so few steamers fit for transports are available that—

Now and for the immediate future the force for which our military establishment is maintained can not be exerted overseas. The quick first blow, so very and increasingly important, can not be struck at all, nor can an expedition of any greater size be embarked without delay except by the use of foreign vessels.

And the War Department report adds:

These conditions can not improve until the American steam seagoing merchant marine has increased in general to approximately two and one-half its present volume by the addition of ships adapted in size and design to quick conversion into suitable transports and built under conditions which make their voluntary surrender to the United States on demand a foregone conclusion.

American capital invested in American shipping would not only mean employment for American shipyard employees, but would mean, too, the creation of an adequate fleet of transports, supply ships, colliers, and other naval auxiliaries for the United States instead of for the governments of Europe. A large part of the \$200,000,000 paid to foreign shipowners every year for the carrying of our foreign commerce is in effect a contribution to the war power of Europe. Great Britain has more than 30,000 of her merchant seamen, most of them employed in the North Atlantic trade, enrolled by the admiralty for naval service.

Germany, France, Italy, and the other powers of the Continent regard every merchant officer and seaman as a naval-reserve man and subject their seafaring population to a period of regular naval service. After this officer or man has received his naval training and becomes useful to his Government, he goes on board a merchant ship engaged in carrying American commerce and is thereafter maintained at our expense.

SHIPS OF OUR OWN.

A large part, therefore, of the cost of European preparation for war with the United States or any other country comes indirectly but none the less surely out of the pockets of the American people. We are paying the bills of the prepared and powerful naval reserves of Europe. Meanwhile we have almost no naval reserve of our own. Our naval fleet is almost the only one in the world, with the exception of that of Russia and China perhaps, which has no second line—no sea militia—behind it. And we can never have such a second line, such a sea militia, so long as nine-tenths of our foreign commerce is conveyed by foreign ships, even if 10 or 12 per cent of these foreign ships are owned by American capital.

This bill of the Merchant Marine Commission will give us ships of our own—American built, and manned by American officers and seamen. It will not give us floating palaces. There is nothing in this legislation to insure the launching of "greyhounds" that will cross the sea in five days. It is not primarily a bill for fast trans-Atlantic navigation. It aims rather to encourage the creation of steam lines of moderate speed and great carrying power to South America, Africa, and Asia. These are the substantial and useful ships of commerce. They are the ships which the United States needs most, the ships which will best serve our ends, and in peace and in war will be valuable as auxiliaries to our fighting squadrons, for the modern navy, while it requires swift scouts from the merchant fleet, must have also all manner of attendant vessels—ships to convey reserve ammunition, coal, and supplies of all kinds, and hospital ships and repair ships also. These need not be of extraordinary speed. The War Department and the Navy Department both state that from 12 to 15 knots is sufficient. These are the ships that would be produced for our new American lines to South America, Africa, and Asia.

American capital invested in such tonnage would give employment to American labor from the very time the keel is laid. Indeed, more than that, it would give employment to American labor from the shipyard back to the rolling mill and forge, to the foundry, mine, and forest; for 95 per cent of the cost of a finished steamship is labor, after all—not labor in the shipyard alone, but labor in all the workshops where the plates and beams

are wrought, labor in the mines whence the coal and ore are dug, labor in the forests where the timber is felled, and the mills where it is fashioned. A great shipbuilding industry in America means new markets for the products of our farms. A thousand more workmen in a shipyard on the Delaware, on the shores of Virginia or Georgia or the Gulf States means three or four thousand more to be fed and clothed, and to build the merchant marine made possible by this bill would mean, not a thousand more workmen, but tens of thousands all along the coast of the United States.

SHIPS MAKE MORE TRADE.

Yet the prime end we have in view is, after all, not shipbuilding or ship owning or navigation, or even the strengthening of the Navy by a great body of skilled officers and seamen. The real object of a reestablished merchant marine is the expansion of American commerce. Once build your ships and trade is sure to follow in their wake, as cities and towns spring up along the lines of our transcontinental railroads. Ships work for the ports that own them just as railroads work for their terminal points. The great ocean steamer built in Pennsylvania out of Lake Superior ore increases the value of Iowa and Dakota farms through the new transportation facilities she provides and the new power she gives for driving American merchandise into the markets of South America or the Orient.

It is an old cry against protection to American industry that it takes money from the pockets of the many to put into the pockets of the few. This assertion is a hundred years old in America. It has echoed and reechoed through a hundred political campaigns. It has deceived the unthinking, but it has never stood the test of frank examination and honest inquiry.

This bill will cost the American people something. Its subventions must be paid out of the National Treasury from money collected indirectly from all the people, but the ships which these subventions will give the nation will serve the interests of all the people.

The money which is being used, for instance, to irrigate the arid regions of the West is the money of the many, but it is a shortsighted view that its expenditure benefits only the few landowners of the neighborhood. It is of great advantage to them and of great advantage to the State or Territory in which the land reclaimed by irrigation is located. But this money expended in irrigation benefits the entire country through increasing our arable domain and the productive power of our agriculture.

So the millions that are being spent to strengthen the levees of the Mississippi will save the planters there from inundation, and the millions more that are being spent to make navigable the interior rivers of the country are justifiable, really because, though this money comes from the pockets of the people, the benefits in the long run go to all the people, too, for we are all one people and one country, and the prosperity of Colorado and of Mississippi means in the long run the prosperity of New York and Pennsylvania. And it is just as true that the prosperity of New York and Pennsylvania in the long run means the prosperity of the Southern States that grow cotton and the Western States with their cereals, their cattle, and their fruit.

Mr. CARTER. Mr. President, the sentiments expressed by the Senator from Pennsylvania meet with my most hearty approval. I believe that no measure which beneficially affects any part of this country can be indifferent in its effects upon any other part of the country.

The region to be reclaimed by the Reclamation Service, for instance, is a region at present unproductive. It is a well-known fact that the American farmer now raises an amount of wheat each year in excess of the demands of home consumption, but as our population increases it has proven unfortunately true that there is not a corresponding increase in the growth of that necessary grain for human food. The wheat-producing properties of the soil of New England, Pennsylvania, Ohio, New York, and the great belt of Middle States become gradually exhausted.

We now produce in the United States about 600,000,000 bushels of wheat each year, of which we export considerable, probably one-third. Yet the wheat-producing power of the United States is less to-day, particularly in the States formerly relied upon for the production of wheat, than was that power ten to twenty years ago. I well recall that Ohio was once a great wheat-producing State. Its production now is of little consequence in comparison with the total of the country. The State of Illinois was a great wheat-producing State twenty years ago, but experience demonstrated the fact that not to exceed three good crops of wheat could be grown on any acre of land in the State of Illinois in succession. The State of Minnesota became in time one of the banner wheat-growing States of the Union, but the wheat-producing properties of the soil of Minnesota

gradually became exhausted and its power to produce wheat consequently diminished. The Dakotas, once regarded as an inexhaustible source of supply for wheat production, have been found to have limitations.

I believe if we were confined now for our wheat supply to those States in the Union upon which the rainfall is adequate for the production of a crop, we would be importing wheat from India inside of twenty years. We will, before the great body of arid lands shall have been reclaimed, find it necessary to draw upon the arid region for the breadstuff of the nation.

Probably 50,000,000 acres of wheat-producing land will be brought under the operations of the Reclamation Service. While the average crop in the State of Minnesota is 12 bushels per acre, the average production upon an acre of irrigated land is from 40 to 60 bushels, or, in other words, 40 acres of land under irrigation will, year in and year out, produce more merchantable wheat than 200 acres of land within the rain belt, so called.

We of that arid region are looking for our market for the enormous quantities of wheat destined to be produced there not to Europe, but to Asia. The largest order for flour ever placed in any milling establishment in the world was recently placed with the Minneapolis mills for flour to be exported to China, notwithstanding the boycott. We are interested in whatsoever will furnish us the means of sending this future product to the markets of the world, and particularly to the oriental market.

A slight scanning of the map will show that the Pacific Ocean is largely bounded now by American territory. On the east are the Pacific coast States; to the west we have the Hawaiian Islands, not quite in midocean, but well-nigh situated in midocean; to the north and the northwest the great Alaskan country, and the Aleutian Islands extending down well-nigh to the coast of Japan; to the southwest the Philippine Archipelago, extending for some 2,000 miles on the southwestern point or border of the Pacific Ocean. Upon all that vast ocean bounded so largely by our territory, with possibilities of commerce which we can now but slightly comprehend, we have but a few American ships transporting passengers and a slight amount of freight from Pacific coast ports up to Alaska, and a very few vessels engaged in trade with the Orient.

A very enterprising American but recently invested in two of the largest freight-carrying vessels now afloat. The vessels are engaged in the trade between Seattle and ports of China and Japan. I am informed that these vessels, splendidly equipped though they be, with tonnage exceeding 20,000, I believe, with means for labor saving never before employed to such a wide extent, must in the nature of things discontinue to operate in that trade, unless the Congress of the United States, in the exercise of its power, shall in some manner or form tend to equalize conditions between these American vessels and their foreign competitors along the same line.

The interior of the country, Mr. President, is not indifferent to the growth of our shipping through and vitalizing of the American mercantile marine. We are not indifferent to the development of the American Navy. Upon the contrary, we are profoundly interested in both of these arms of commerce and national defense.

What we are anxious to know is that the bill now pending shall not be sent forth in such meager terms and under such restrictions as will make it an experimental measure. I shall vote for it. I shall vote for it, believing it to be in the right direction and confidently hoping that those best informed concerning the possibilities of development may not be mistaken as to the efficacy of the measure employed.

It has been suggested that the bill in its present form does not go far enough to insure the object in view. If that be true, the duty of the hour demands that we make the measure adequate to the achievement of the purpose we have to accomplish.

I do not believe there will be any lack of support from the interior of the country upon this subject. We of the Rocky Mountain region are made up of contributions from all the States in the Union. That western region is a region where provincialism can have no abiding place at all. If you want to find the broad, liberal, unrestrained spirit of nationalism, you must go to the section of the country made up, as that western country is, by people from the South and from New England, from the Atlantic and from the Pacific, and from all the countries of Europe.

We desire, Mr. President, that this measure shall furnish an adequate means of accomplishing the purpose it has in view.

We are not unmindful, sir, that the country is one, and that which is beneficial to our section may prove beneficial to all sections. I visited but recently the chief city in the State of the Senator from Colorado [Mr. TELLER], who yesterday after-

noon addressed the Senate upon this subject. I found there busy, thriving populous communities, where but a few years ago arid plains, uninhabited and unproductive, were only to be found. Through the aid of the Government, in the interest of American labor and American industry, through encouragement extended and in good faith received, citizens of the country had invested in one Congressional district in the construction of six beet-sugar factories. These beet-sugar factories, I was informed, cost in the neighborhood of \$1,000,000 each. They were producing all the sugar required in that section of the country, and some of the surplus was being shipped across the Mississippi.

These beet-sugar factories, taking care of a product of the farm, caused a dense population to spring up and settle round about plains but recently arid and unsettled. Land that was said to have been worth only \$2.50 to \$5 an acre twenty years ago is now selling, in the vicinity of Denver, Colo., at from \$50 to \$250 per acre; and sugar at the same time in that section of the country is cheaper than it was before the factories were established under the encouragement of the Government.

That which was done for the beet-sugar industry of the West may, I think, be done for the shipping industries of the country also, if the Government will but assist by putting the shoulders of all the people behind the movement until the movement gets a sufficient impetus.

The Senator from Wisconsin [Mr. SPOONER] yesterday inquired whether ships could be built cheaper hereafter, provided we started the shipbuilding industry in the country. I think that question answers itself in the matter of common experience.

It is not long ago since an ordinary plow cost \$30 to \$40 with a steel moldboard, and that, too, when wheat was selling at 50 cents a bushel. By virtue of the development of the plow-manufacturing industry in the country a plow which formerly cost \$30 to \$40 can be bought for \$6 or \$8 in the market now. A mowing machine which used to cost \$125 can be purchased in the market now for from \$40 to \$60. It is so with wagons, and with the various implements of husbandry.

The development of factories, the increase of demand, the development of skilled labor, the multiplication of manufacturing enterprises will, of course, in shipbuilding, as in all other departments of endeavor, necessarily reduce the cost as productive capacity is increased, and productive capacity will increase where the demand for the finished product increases.

Let the Senators having this bill in charge give us no experimental legislation. Make the bill strong enough now to put our shipowners and operators upon an equal footing with their competitors, and American enterprise and thrift and skill will do what is necessary to bring American shipping up to the standard of our expectations.

I do sincerely trust that before the Senator from Pennsylvania concludes he will give us some assurance of his faith in the adequacy of the pending measure to accomplish the result its framers have in view.

Mr. PENROSE. Mr. President, I am very glad to have this interruption, which is not exactly an inquiry, as I had expected, but a very clear and very important statement from the distinguished Senator from Montana. I am glad to learn that there exists so much patriotic feeling in his State, so distant from my own, for the rehabilitation of the American merchant marine and the placing of the American flag again upon our ocean highways.

This bill does not come up to the wishes of any of us, perhaps, who are anxious for the rehabilitation of the American merchant marine, but it is the best that can be obtained under present conditions, and it will undoubtedly go a long way toward bringing about the results which we all have so closely at heart.

Did I think that a bill more radical in its provisions, greater in its expenditures, and more extensive in its scope had any chance of passing the American Congress, I for one would gladly assist in framing it and assist in its passage; but we are all conversant with the opposition and the difficulties which this form of legislation has encountered in the past. So the members of the Merchant Marine Commission felt that it was better to be conservative and to get the best we could rather than, by striving after greater and more brilliant results, to perhaps encounter ultimate defeat.

I shall tax the patience of the Senate but a short time longer, but I desire to call attention to a few points before concluding my remarks.

It has already been shown, Mr. President, that the difference in the cost of ship materials between the United States and Europe—or of materials required for ships for the foreign trade—is not a large item in the cost of the completed vessel. It is not the cost of materials, not the protective tariff, which

keeps American shipyards idle and empty while foreign yards are crowded with orders, as they have been for many months. The one difficulty, so far as shipbuilding is concerned, is the higher wages of American labor. A few years ago American consuls in the chief shipping countries of Europe procured exact statements of the rates of wages paid to skilled and unskilled workmen in the various European yards. These figures were published in the Consular Reports and republished in the American Economist with a comparative statement of American shipyard wages in the same trades, prepared by Mr. Cramp, the great shipbuilder of Philadelphia. The earnings for a week of fifty-six hours' work of the mechanics and laborers of various classes in the chief shipyards of Great Britain and in the Cramp yard in the United States were as follows:

	British.	American.
Pattern makers	\$9.00	\$18.00
Machinists	8.50	15.00
Riveters	7.50	12.00
Calkers and chippers	7.80	15.00
Fitters-up	7.80	15.00
Ship carpenters	9.00	18.00
Joiners	9.00	16.50
Painters	9.60	18.00
Furnace men	6.00	10.80
Plumbers	9.60	19.50
Drillers	6.40	11.00
Sheet-iron workers	8.50	15.00
Coppersmiths	8.60	18.00
Molders, iron	9.00	14.50
Molders, brass	9.00	15.00
Laborers	4.20	8.00
		10.00

This authoritative record shows that the earnings of American workmen in the Cramp shipyard at Philadelphia are nearly twice as great for a given number of hours a week as the earnings of the workmen in the shipyards of Great Britain. But it will be asked are not the American workmen more active and efficient? Unquestionably they are. They are the better men for their higher wages. But they are not so much more active and efficient than their British kinsmen that one man in an American shipyard can do the work of two men abroad.

A 30 PER CENT GREATER COST.

With materials at approximately equal cost, the American ship of a given type and dimensions costs now from 20 to 40 per cent more than a British ship. The average probably is not far from 30 per cent. A year or two ago when the Merchant Marine Commission began its investigation, shipbuilding abroad happened to be stagnant. There was temporarily an oversupply of ships in the world's commerce. Because of that fact, British shipyards were offering to build vessels actually at less than cost in order to keep their machinery employed and to hold their skilled workmen together. Therefore, there were instances reported to the Commission where American shipowners, asking for estimates for the cost of a given vessel in British shipyards and at home, found that British builders would construct a craft for a price not much more than half of that asked by American builders. However, the past year has brought a radical change in conditions. The ending of the war in the East has vastly stimulated oriental commerce and the depression in British shipbuilding has given way to a tremendous boom. The yards of the Clyde and the Tyne are crowded with work. Prices of British ship materials have risen rapidly, and Americans who have lately made inquiries abroad as to the cost of merchant tonnage have found that British prices were again no more than 20 or 30 per cent below prices for similar vessels here. That there is so close a range in the cost of ocean ships in America and Great Britain is proof, of course, that American shipyard labor is more active and efficient. Otherwise, with wages nearly twice as high here as they are in England, the cost of an American ship would be 75 or 80 per cent more than the cost of a similar British vessel.

Acknowledging that American shipyard workmen are more efficient than British workmen and that they actually do more work for their higher wages, the fact remains unmistakable that the superior efficiency of our workmen does not suffice to cover the entire cost of their higher wages. If it did, with ship materials so nearly level in both countries, the price of a completed vessel would be substantially the same here and abroad, and thus British shipowners, who can not procure tonnage from their overcrowded British yards, would place their orders in the empty shipyards of America.

Even allowing for all the higher efficiency of American workmen, there is imperative need of some national protection to equalize conditions between the Delaware River and the Clyde. Such protection is offered in the terms of the proposed bill of

the Merchant Marine Commission. It is true that this bill gives no subvention, bounty, or subsidy to shipbuilding. Japan, France, Italy, and other nations give bounties from the public treasury of so much per ton on all native-built ocean ships, and also grant subsidies for navigation. The plan which we recommend is to grant subventions only on the navigation of the ships—to both mail liners and cargo vessels. It is our belief that if this aid is bestowed American shipowners will thereby be enabled to run their ships on even terms against the cheap wages and the subsidies of Europe.

As an illustration of how generously our chief rivals in trade encourage their great lines of mail steamships, this statement from a New York newspaper of a recent date is interesting:

[New York Herald, January 21, 1906.]

SHIP SUBSIDIES ABROAD.

The German lines are the most heavily state-subsidized steamship lines in the world. The total imperial subsidy granted by Germany to steamship lines amounts to \$1,737,500 per annum, and is distributed among the North German Lloyd, of Bremen, and the German East Africa Company, of Hamburg. There is in addition to this a small imperial subsidy granted for a service established to compete for the West African trade. The German East Africa line receives \$337,500 a year for a fortnightly service circumnavigating Africa in alternate directions. The North German Lloyd receives \$825,000 per annum for a fortnightly service direct to China and Japan, and \$575,000 for a monthly service to Australia. In addition to this there is an amount of \$325,000 paid to the Hamburg-American and North German Lloyd companies for the carriage of mails.

The P. & O. Company receives the sum of \$1,750,000 per annum for a fortnightly service from Brindisi to Shanghai, a weekly service from Brindisi to Bombay, and a fortnightly service from Brindisi to Adelaide. Of this sum approximately \$425,000 is allotted to the Australian service, Brindisi to Adelaide, covering about 9,100 miles, including ports of call. If 2,500 miles, about the distance from London to Brindisi—the P. & O. is obliged to run to Brindisi to pick up the mails—and 1,075 miles, representing the mileage from Adelaide to Sydney, are added, a total distance of 12,675 miles, the nearest possible approach to an absolutely comparative basis is obtained. The North German Lloyd receives \$575,000 per annum for a monthly service from Bremerhaven to Sydney, a distance of about 13,100 miles, including ports of call. The P. & O. Company runs fifty-two voyages in a year, and the North German Lloyd runs, under its contract, at least twenty-six voyages a year. This works out at 66.105 cents per mile for the P. & O. and Orient companies, and \$1.68819 per mile for the North German Lloyd.

If the bill proposed by the Merchant Marine Commission is enacted, American shipyards will prosper, though they receive no direct subvention of their own. For the bill requires that to be qualified for these subventions, ships must be already registered or hereafter built and registered in the United States.

Take, for example, the proposed mail lines to South America. There is now not one American steamer running on these important routes. These proposed lines are absolutely nonexistent. And there are few if any steamers now in commission under the flag of the United States that are adapted to the peculiar requirements of this long-voyage trade and of the general commerce of South America. Perhaps there are a few steamers that can be temporarily employed to begin the service while other ships are being constructed. But virtually the entire fleet requisite for these South American lines must be built in American shipyards. That is true to a lesser degree of the proposed lines in the Pacific Ocean, where a few American ships are hard pressed by British, Japanese, and other foreign subsidized competition.

It is estimated that the ten new lines will call, in round numbers, for about sixty ocean steamships, most of them large vessels and capacious carriers of cargo, and that the aggregate tonnage of this new ocean mail fleet will be nearly, if not quite, 300,000 tons. The building of these ships will give employment to our idle shipyards. It will bring work and wages to thousands of mechanics. And with them, alongside of them, will be built also, if this bill is passed, the cargo vessels, steam and sail, especially for West Indian, South American, and Asiatic commerce, which are to receive the subventions provided in sections 2 and 3 of \$5 per ton, or \$6.50 per ton in Philippine commerce.

WAGES THAT ARE NEEDED.

What this law means to the shipbuilding industry of the United States can be realized when it is said that there are now building, all told, less than 30,000 tons of ocean steamships in the United States—all of this in one shipyard on the Delaware. Except for these four vessels, not one order for an ocean steamship exclusively for foreign trade has been given since June, 1901, to any American builder. Representatives of the shipyard workmen—the Brotherhood of Boiler Makers and Iron Ship Builders, affiliated with the Federation of Labor—who appeared in 1904 before the committees of Congress in support of the recommendation of the President of the United States that the Merchant Marine Commission should be created, declared that at least one-half of the skilled shipyard workmen of the Atlantic and Pacific coasts were either altogether idle and in want or were working at common laborers' wages at any occupation they could get—digging ditches, sweeping streets, or some other form

of the roughest and cheapest manual labor. There has been a slight improvement since then because of the building of a few coastwise vessels, but the situation is not materially changed. Right here and now in the height of our splendid prosperity there is one trade, and one trade only, in which American workmen by the thousands can find no employment and no wages. The sincerity of the devotion of Senators to the interests of labor will be demonstrated by their votes upon this shipping bill.

The passage of this bill will start into new life the shipyards of New England, Pennsylvania, Virginia, the Gulf ports, and the Pacific States. But, as has already been said, it will not benefit these coast States only, for the ships that will be built will make new markets for the products of every State and Territory in our nation. And the prosperity of the shipyards will mean prosperity for all the people, and especially for the farmers of the country, who provide the material to feed and clothe the mechanics of the seaboard.

SHIPYARDS AND FACTORIES.

The value of the protective tariff in encouraging manufacturing, and thereby making new markets for the products of the farms of the remotest Western States, has come to be well understood throughout America. A shipyard is a factory, and a mighty one. Few factories anywhere employ so large a proportion of highly skilled and well-paid labor. An American mechanic earning \$3 a day in a Delaware shipyard is enabled to buy more and better food and better clothing and many other necessities of life, which though necessities here are luxuries abroad, that a workman earning \$1.50 a day in a British shipyard can not afford. The American workman is twice as valuable as a customer for your western farms as a British workman with half his wages. Indeed, in actual effect one American workman is worth to your western farmers six times as much as a British workman in a British shipyard, for the American workman, you may be very certain, eats bread made from American grain and meat grown on American farms or ranches; he wears American clothes of cotton or of wool grown in this country. But the British workman, who builds the ships that now monopolize American trade, may or may not be a consumer of American grains or meats. It is very much more probable that his bread comes from India or Russia, and the meat he seldom eats from Argentina or Australia. One large American shipyard with 10,000 workmen is unquestionably worth more as a market for the farms of Iowa, Minnesota, Kansas, Nebraska, or the Dakotas than all the workmen engaged in building North Atlantic ships in all the shipyards of the United Kingdom. Nor is it only these American shipyard workmen whose employment means a better market for the products of our western farms, for it must be remembered that a large part of the work of building a great ocean steamship is performed outside of the shipyard before the steel beams and plates and angles have been hauled inside the shipyard gates. The work begins when the iron ore to make the steel is dug out of the mines of Lake Superior or when the trees for the woodwork of the ship are felled in the forests of Georgia, Florida, and the Carolinas. These first processes of ship construction are performed far from the ocean. They give work and wages to men of the distant interior, who perhaps have never seen the ocean. As these materials are advanced from one process to another, they give employment to the men of your interior States, to the great steamers that come down the Lakes, to the railroads West and South that bring them from mill and forge to the yard where they are to be wrought into the finished vessel. A hundred million dollars a year in building new ships for ocean trade means the distribution of \$95,000,000 in labor throughout all circles of trade and industry in the United States.

This is something to remember when men tell you that this bill is merely a bill to enrich shipowning and shipbuilding trusts and combinations. There is no shipowning trust or combination in ocean trade under the flag of the United States. The International Mercantile Marine Company, sometimes called the "Atlantic Steamship Trust," is the largest steamship company in the world, though no larger than two great German companies united. But this company has 120 foreign vessels and only 10 American.

And there is no ocean shipbuilding trust. That is a figment of the imagination. Ambitious men attempted several years ago to form a shipyard trust. Nine-tenths of American shipyards refused to enter it. Not one of the great shipyards of the Atlantic coast would consent to join. After a brief and stormy career this so-called "shipbuilding trust" went into the hands of receivers. As now reorganized it is building but a small fraction of the small tonnage now under construction in the United States.

Nine-tenths of American ocean shipyards are now and always

have been independent of this combination and of any other. They are engaged in the fullest and freest kind of competition, and are subject, as all other corporations, to the Federal laws applied to combinations "in restraint of trade."

A MONOPOLY THAT MUST BE BROKEN.

So all talk of "fostering monopoly," "to enrich the great combinations," as applied to this bill is unfair and unfounded. There are combinations and monopolies in the shipping trade of the United States, but these are of foreign origin, foreign control, foreign ownership, and difficult to reach by American authority, beyond the full scope of American laws. And what monopoly could be more dangerous, more galling, more obstructive of the commerce and industry of the American people than that monopoly which exists to-day in the fact that nine-tenths of the imports and exports of America are conveyed in foreign ships by foreign seamen at a cost of about \$200,000,000 a year? At least one-half of this immense sum, which has to be settled in gold or its equivalent, now drained out of this country, ought to remain here in the form of dividends on American capital and wages to American labor. This foreign domination of our own ocean carrying trade is a monopoly indefensible and intolerable—a menace to the security as well as to the prosperity of the Republic. There can be no party, no sectional difference over the imperative need of smashing forever a monopoly like this. It can only be done by creating a great fleet of American ships and a great naval reserve of American seamen. This bill of the Merchant Marine Commission is a long, straight step toward that end, and as such it demands the immediate and hearty approval of the Congress of the United States.

Mr. President, I have here three communications from the Commissioner of Navigation, giving certain statistics referred to by me, which I ask unanimous consent to have inserted in the Record as an appendix to my remarks.

The VICE-PRESIDENT. Without objection, it will be so ordered.

The communications referred to are as follows:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
Washington, January 26, 1906.

Hon. BOIES PENROSE,
United States Senate.

DEAR SENATOR: Referring to your personal request yesterday afternoon, I inclose a statement (marked "A") of all the seagoing steam vessels built in the United States during the year ended December 31, 1905. The total, you will notice, is only eighteen vessels, of 35,199 gross tons. In addition to this, during the calendar year 1905 seventeen yachts, of 753 gross tons, were built, but they are hardly worth considering for your purposes. More than one-half of this tonnage is one ship of 20,714, built, as you will recall, for James J. Hill's railroad connections at Puget Sound to Japan and China. The Hill steamer, you will remember, took four years in building.

On the Delaware only four steamers, of 5,932 gross tons, were built. You might compare the above statement with the output of Great Britain and Ireland during the calendar year 1905. The official figures have not yet reached me, but the Shipping World, a London publication and a recognized authority on shipping matters abroad, compiles every year from returns furnished by shipbuilders a table showing the construction in the United Kingdom during the past calendar year. This is printed shortly after the 1st of January, in advance of official figures, and I have just received it. I believe the figures to be entirely trustworthy. They show the output on the Clyde and in Scotland as 407 vessels, of 571,287 gross tons. The shipbuilding firm of Harland & Wolff, of Belfast, Ireland, last year built nine steamers, of 85,287 gross tons, or more than double the output of seagoing steam tonnage of the American yards. There were, indeed, six single British shipyards each of which built more seagoing steam tonnage during the last calendar year than was built in the entire United States during the same period. According to the Shipping World of January 3, 1906, the total output of the different centers of shipbuilding in the United Kingdom for 1905 was as follows:

	Number.	Tons.
The Clyde and Scotland.....	407	571,287
The Tyne.....	135	322,749
The Wear.....	101	316,940
The Hartlepool.....	35	119,517
The Tees.....	40	132,751
The Humber.....	108	29,497
The Thames.....	138	12,398
The Channel and West Coast.....	192	48,270
Ireland.....	35	144,743
Total.....	1,191	1,698,152

CURRENT CONSTRUCTION.

My report for 1905, of which there are copies in Senator GALLINGER's committee room, shows, at pages 10 to 13, the steel vessels under construction or under contract at the beginning of the fiscal year July 1, 1905. At that date there were forty-nine seagoing merchant steel vessels of 86,836 gross tons under construction or under contract. Some of these have since been completed, and the work under contract on some of the others has probably hardly yet gone further than the assembling of materials.

I have no similar tables at hand of foreign vessels under construc-

tion at the same time. I inclose (marked "B") Lloyds' statement for the world of vessels under construction on September 30, 1905. You will notice that in the United Kingdom at that time there were 474 vessels of 1,325,328 gross tons under construction. I have telegraphed to New York and shall probably receive to-morrow a statement showing the portion of those which were under construction on the Clyde.* You will notice that this return of Lloyds shows only twenty-six seagoing vessels of 38,474 gross tons under construction in the United States, of which twelve vessels of 24,824 gross tons were under construction on the Delaware. Lloyds' figures are a slight understatement for the United States. The Cramps, for example, are building four steamers for the New York and Cuba Mail Line (two of which are to replace vessels they sold to the Panama Canal Commission), aggregating about 28,000 tons. These were not contracted for until August, and, of course, were not covered by Lloyds' return, which allows only 24,824 under construction on the Delaware.

Making allowances for differences due to the fact that I include in my figures contracts for ships as well as ships the keels of which have actually been laid and for the fact that the ships covered in my table for July 1, 1905, by this time are either completed, or, in some instances, very close to completion, I believe you will be safe in using Lloyds' table inclosed as a fair statement of construction for the ocean trade in progress in American and foreign yards. Such rough comparison of steel steamers would be:

	Number.	Gross tons.
United Kingdom.....	444	1,319,718
Germany.....	67	221,070
United States.....	23	35,274

You will perceive the difficulty in making comparisons, but I trust I have made myself clear.

If I can be of service to you, please command me.

Respectfully,

E. T. CHAMBERLAIN, Commissioner.

A.—Seagoing steam vessels built (and officially numbered) from January 1 to December 31, 1905.

Name.	Where built.	Rig.	Gross tonnage.
Geo. F. Randolph ^a	Baltimore, Md.....	St. s.	211
Dakota ^a	New London, Conn.....	St. s.	20,714
Providence ^a	Quincy, Mass.....	St. p.	4,365
Hercules.....	Tomkins Cove, N. Y.....	St. s.	163
Jack Twohy ^a	Camden, N. J.....	St. s.	171
Sea Foam.....	Aberdeen, Wash.....	St. s.	339
Continental.....	Port Jefferson, N. Y.....	St. s.	82
Chippewa ^a	Philadelphia, Pa.....	St. s.	2,696
Onondaga ^a	do.....	St. s.	2,696
Roosevelt.....	Bucksport, Me.....	St. s.	614
Daisy Mitchell.....	Fairhaven, Cal.....	St. s.	612
Frances Hyde.....	Bath, Me.....	St. s.	739
Robert W. Johnson.....	Noank, Conn.....	St. s.	204
Monocacy ^a	Sparrows Point, Md.....	St. s.	617
Transfer No. 19 ^a	Philadelphia, Pa.....	St. s.	270
Transfer No. 20 ^a	do.....	St. s.	270
Spray ^a	Quincy, Mass.....	St. s.	283
Elizabeth Silsbee ^b	Essex, Mass.....	St. s.	153
Total.....			35,199
8 wooden vessels.....			2,906
10 steel vessels.....			32,293
18 wooden and steam vessels.....			35,199

Steel vessels.		Gasoline.	
18 steam vessels engaged in trade.....	gross tonnage..	35,199	
17 yachts engaged in trade.....	do.....	753	
35 steam vessels and yachts engaged in trade.....	do.....	35,952	
4 steam vessels built on Delaware River.....	do.....	5,932	

B.—Number and tonnage of vessels of 100 tons gross and upward, etc.

Year.	Italy.		Japan.		Norway.		United States.		Other countries.		Total.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
1892.....	21	13,888			42	24,572	73	62,588	40	15,762	1,051	1,358,045
1893.....	21	10,626	3	1,132	30	16,562	36	27,174	60	17,788	846	1,026,741
1894.....	10	5,396	14	3,173	25	17,169	43	66,894	32	13,894	932	1,233,538
1895.....	10	5,603	3	2,296	21	12,873	61	84,877	25	7,881	880	1,218,160
1896.....	10	6,779	28	7,849	17	12,059	144	184,175	24	7,820	1,131	1,567,882
1897.....	8	12,910	22	6,740	25	17,248	84	86,888	36	13,711	960	1,331,924
1898.....	19	26,530	9	11,424	29	22,670	162	173,250	35	8,968	1,290	1,893,343
1899.....	31	49,472	3	6,775	34	27,853	148	224,278	61	16,382	1,269	2,121,738
1900.....	36	67,522	3	4,543	42	32,751	235	333,527	67	21,741	1,364	2,394,163
1901.....	35	60,526	94	37,208	40	36,875	286	433,235	66	28,801	1,538	2,617,539
1902.....	62	46,270	53	27,181	46	37,878	251	379,174	94	38,277	1,650	2,592,755
1903.....	81	50,089	62	34,514	54	41,599	246	381,820	88	35,928	1,650	2,451,631
1904.....	35	30,016	67	32,969	67	50,469	227	238,518	77	28,254	1,643	1,967,935

VESSELS UNDER CONSTRUCTION SEPTEMBER 30, 1905.

From the returns compiled by Lloyd's Register of Shipping, it appears that, excluding war ships, there were 474 vessels of 1,325,328 tons gross under construction in the United Kingdom at the close of

* Telegram just received states: 147 steamers, 484,630 gross tons.

the quarter ended September 30, 1905. The particulars of the vessels in question are as follows, similar details being given for the corresponding period in 1904 for the purpose of comparison:

Description.	September 30, 1905.		September 30, 1904.	
	Number.	Gross tonnage.	Number.	Gross tonnage.
STEAM.				
Steel.....	444	1,319,718	352	1,029,622
Iron.....	1	320	1	320
Wood and composite.....	1	60	1	220
Total.....	446	1,320,098	353	1,029,842
SAIL.				
Steel.....	16	3,871	26	14,855
Iron.....	12	1,359	14	1,611
Wood and composite.....	28	5,230	40	16,466
Total.....	474	1,325,328	393	1,046,308

The tonnage under construction has shown a steady increase since December, 1903, and the present figures are within 87,000 tons of the total reached in September, 1901, which is the highest on record. As compared with the return for the June quarter, the figures show an increase of 24,000 tons, while the March quarter's total is now exceeded by 74,000 tons.

SIZE OF VESSELS UNDER CONSTRUCTION (WAR SHIPS EXCLUDED).

The following table shows the vessels under construction in the United Kingdom, classified according to gross tonnage:

Tonnage.	Steam.	Sail.	Tonnage.	Steam.	Sail.
Under 100 tons.....	7	5	7,000 to 7,999 tons.....	11	-----
100 to 199 tons.....	41	14	8,000 to 8,999 tons.....	4	-----
200 to 499 tons.....	88	6	9,000 to 9,999 tons.....	6	-----
500 to 999 tons.....	18	3	10,000 to 11,999 tons.....	1	-----
1,000 to 1,999 tons.....	42	-----	12,000 to 14,999 tons.....	2	-----
2,000 to 2,999 tons.....	40	-----	15,000 to 19,999 tons.....	3	-----
3,000 to 3,999 tons.....	82	-----	20,000 tons and above.....	5	-----
4,000 to 4,999 tons.....	73	-----	Total.....	446	28
5,000 to 5,999 tons.....	18	-----			
6,000 to 6,999 tons.....	5	-----			

* Vessels of less than 100 tons are not included in Lloyd's Register Shipbuilding Returns unless they are intended to be classed in the Society's Register Book.

FOREIGN AND COLONIAL SHIPBUILDING (WAR SHIPS EXCLUDED).

The following table shows the number and tonnage of vessels, excluding war ships, under construction at various ports abroad, according to the latest returns which have been received at this office. Vessels of less than 100 tons are not included in these figures:

Total, by country and district.	Date of return.	Steam.		Sail.		Total.	
		No.	Gross tonnage.	No.	Gross tonnage.	No.	Gross tonnage.
	1905.						
Argentina Republic: Buenos Ayres, 1 vessel.....	Sept. 1	1	(a)	-----	-----	1	(a)
Austria-Hungary, 3 vessels, 4,300 tons:							
Lussinpiccolo.....	Sept. 14	2	300	-----	-----	2	300
Trieste.....	Sept. 20	1	4,000	-----	-----	1	4,000
Belgium: Antwerp.....	Sept. 22	-----	-----	-----	-----	-----	-----
British colonies, 8 vessels, 1,060 tons:							
Hongkong.....	Aug. 21	5	700	1	390	6	1,090
Melbourne.....	June 30	-----	-----	-----	-----	-----	-----
Newcastle, N. S. W.....	Aug. 21	1	(a)	-----	-----	1	(a)
Singapore.....	June 8	-----	-----	-----	-----	-----	-----
Vancouver, B. C.....	July 6	1	(a)	-----	-----	1	(a)
China: Shanghai, 1 vessel, 1,850 tons.....	Aug. 25	1	1,850	-----	-----	1	1,850
Denmark, 6 vessels, 11,135 tons:							
Copenhagen.....	Sept. 21	5	10,100	-----	-----	5	10,100
Elsinore.....	do	1	1,035	-----	-----	1	1,035
France, 18 vessels, 66,115 tons:							
Bordeaux.....	Sept. 23	-----	-----	-----	-----	-----	-----
Dunkirk.....	Sept. 22	5	13,455	-----	-----	5	13,455
Havre and Rouen.....	do	4	13,000	-----	-----	4	13,000
La Seyne, La Ciotat, and Port de Bouc.....	Sept. 21	6	18,160	-----	-----	6	18,160
St. Nazaire and Nantes.....	Sept. 18	3	21,500	-----	-----	3	21,500
Germany, 72 vessels, 224,642 tons:							
Bremen, Geestemunde, and Vegesack.....	Sept. 22	25	81,745	4	572	29	82,317
Danzig.....	-----	-----	-----	-----	-----	-----	-----
Hamburg, Flensburg, Tonnung, and Kiel.....	Sept. 15	26	76,140	1	3,000	27	79,140
Rostock and Lübeck.....	do	9	17,915	-----	-----	9	17,915
Stettin.....	Sept. 20	7	45,270	-----	-----	7	45,270
Greece: Syra, 2 vessels, 385 tons.....	Sept. 11	-----	-----	2	385	2	385

Total, by country and district.	Date of return.	Steam.		Sail.		Total.	
		No.	Gross tonnage.	No.	Gross tonnage.	No.	Gross tonnage.
1905.							
Holland, 20 vessels, 32,155 tons: Amsterdam and ports north of the "Lek", Rotterdam, Flushing, and ports south of the "Lek".	Sept. 23	8	16,840	1	200	9	17,040
Italy, 20 vessels, 54,959 tons: Ancona Chioggia Gulf of Genoa Leghorn and Viareggio Naples Palermo	Sept. 21	10	14,715	1	400	11	15,115
	do	1	4,000			1	4,000
	Sept. 20						
	Sept. 21	10	43,200	4	730	14	43,930
	do			3	429	3	429
	Sept. 15			1	180	1	180
	Sept. 17	2	6,600			2	6,600
Japan, 23 vessels, 20,780 tons: Kobe and Osaka Nagasaki Yokohama	June 14	15	12,945	2	400	17	13,345
	July 27	6	7,435			6	7,435
	Aug. 18						
Norway, 29 vessels, 31,996 tons: Bergen, Drøghthelm, and Stavanger Christiania, etc.	Sept. 20	12	14,800			12	14,800
	Sept. 16	17	17,196			17	17,196
Philippine Islands: Manila, 3 vessels, 915 tons	Feb. 11	3	915			3	915
Portugal: Lisbon Oporto	Sept. 25						
	June 28						
Spain, 1 vessel, 1,650 tons: Bilbao Cadiz	Sept. 25	1	1,650			1	1,650
	June 24						
Sweden, 8 vessels, 5,180 tons: Gottenborg Helsingborg and Malmö Stockholm	Sept. 20	5	3,860	2	470	7	4,330
	Sept. 21	1	850			1	850
	do						
Uruguay: Montevideo	May 27						
United States, 26 vessels, 38,474 tons: ^b Baltimore Boston and other ports in Massachusetts New York Newport News and Richmond Philadelphia, Chester, Camden (N. J.), and Wilmington San Francisco	Sept. 14	5	9,174	2	2,000	7	11,174
	Sept. 13	1	250			1	250
	Sept. 15	4	780			4	780
	Sept. 14						
	Sept. 9	11	23,620	1	1,200	12	24,820
	June 13	2	1,450			2	1,450

^a Not stated.

^b The principal districts from which returns have not been received are the State of Maine and the Great Lakes.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
Washington, January 27, 1906.

HON. BOIES PENROSE,
United States Senate.

DEAR SENATOR: Referring to my letter of yesterday, I inclose a statement showing the vessels under construction on September 30, 1905, in some of the principal shipbuilding districts of the United Kingdom. Respectfully,

E. T. CHAMBERLAIN, Commissioner.

WORK IN HAND IN PRINCIPAL DISTRICTS (WAR SHIPS EXCLUDED) SEPTEMBER 30, 1905.

The following table gives the total figures for vessels now under construction in some of the principal shipbuilding districts of the country, as compared with those for the same period last year. Each district, of course, includes places in the neighborhood of the port after which it is named:

District.	Description.	Number.	Gross tons.
Belfast.....	Steam.....	24	213,530
Do.....	Sail.....	-----	-----
Total.....	-----	24	213,530
Barrow, Maryport, and Workington.....	Steam.....	6	2,560
Do.....	Sail.....	-----	-----
Total.....	-----	6	2,560
Clyde:	-----	-----	-----
Glasgow.....	Steam.....	84	280,681
Do.....	Sail.....	8	2,340
Total.....	-----	92	283,021
Greenock.....	Steam.....	63	203,949
Do.....	Sail.....	-----	-----
Total.....	-----	63	203,949

District.	Description.	Num-ber.	Gross tons.
Hartlepool and Whitby	Steam	19	65,570
Do.	Sail		
Total		19	65,570
Middlesboro and Stockton	Steam	22	84,220
Do.	Sail		
Total		22	84,220
Newcastle	Steam	77	253,105
Do.	Sail	3	810
Total		80	253,915
Sunderland	Steam	51	169,835
Do.	Sail		
Total		51	169,835
Grand total	Steam	346	1,273,450
Do.	Sail	11	3,150
Total		357	1,276,600

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF NAVIGATION,
Washington, January 29, 1906.

Hon. BOIES PENROSE,
United States Senate.

Sir: Complying with the request, by telephone, this afternoon of your private secretary in regard to two Japanese steamers, I inclose copy of the consul's report referring to the matter which, I think, you have in mind.

Respectfully,

E. T. CHAMBERLAIN, Commissioner.
CONSULATE OF THE UNITED STATES,
Nagasaki, Japan, June 15, 1905.

Hon. FRANCIS B. LOOMIS,
Assistant Secretary of State, Washington, D. C.

Sir: For your information I have to report that the Mitsu Bishi Dockyard and Engine Works contracted on the 9th instant to build at their works at Nagasaki for the Toyo Kisen Kaisha (Eastern Steamship Company), of Tokio, to run on their Hongkong-San Francisco line, two sister passenger steamers, of 13,000 tons gross each, one to be delivered in thirty months and the second in thirty-six.

These vessels are to have a length between perpendiculars of 550 feet, a breadth of 63 feet, and a depth to the upper deck of 38 feet 6 inches. They will be built to Lloyds' 100 A1 and in accordance with the rules of the Japanese department of communications as well as the American Passenger Boat Regulations. They will have a speed of 19½ knots.

I am, sir, your obedient servant,

CHARLES B. HARRIS, Consul.

PROPOSED CONSIDERATION OF PENSION BILLS.

Mr. McCUMBER. I ask unanimous consent at this time to take up the unobjected cases on the Pension Calendar.

Mr. GALLINGER. I exceedingly regret that I can not give consent. I have been endeavoring for two days to get consideration in executive session for an important matter, and I have said to Senators that I would move to go into executive session as soon as the Senator from Pennsylvania concluded.

Mr. McCUMBER. I suggest to the Senator that it is now only 5 minutes after 4 o'clock. We can probably get through the executive business in half an hour, and then, if the Senator has no objection, the Senate could resume its legislative session.

Mr. GALLINGER. I will quite agree to that.

Mr. McCUMBER. I hope that course may be agreeable to the Senate.

EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 2, 1906, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 1, 1906.

GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS.

James F. Smith, of California, to be governor-general of the Philippine Islands, vice Henry Clay Ide, of Vermont, resigned, to take effect June 1, 1906, or as soon thereafter as his successor shall qualify.

DISTRICT ATTORNEY.

Charles J. Hamblett, of New Hampshire, to be United States attorney for the district of New Hampshire. A reappointment, his term expiring March 14, 1906.

PENSION AGENT.

Grosvenor A. Curtice, of Contoocook, N. H., to be pension agent at Concord, N. H., vice Hugh Henry, whose term will expire April 12, 1906.

RECEIVER OF PUBLIC MONEYS.

Sanford Parker, of Spencer, Nebr., to be receiver of public moneys at O'Neill, Nebr., vice D. Clem Deaver, term expired.

REGISTERS OF LAND OFFICE.

Stephen J. Weekes, of Nebraska, to be register of the land office at O'Neill, Nebr., his term having expired January 22, 1906. (Reappointment.)

Luke M. Bates, of Long Pine, Nebr., to be register of the land office at Valentine, Nebr., vice James C. Pettijohn, removed.

PROMOTIONS IN THE ARMY.

Artillery Corps.

First Lieut. Henry H. Sheen, Artillery Corps, to be captain from January 29, 1906, vice Newbill, detailed as commissary.

Second Lieut. Claude E. Brigham, Artillery Corps, to be first lieutenant from January 29, 1906, vice Sheen, promoted.

APPOINTMENTS IN THE ARMY.

General officers.

Maj. Gen. John C. Bates, United States Army, to be lieutenant-general from February 1, 1906, vice Chaffee, retired from active service.

Brig. Gen. Adolphus W. Greely, Chief Signal Officer, to be major-general, vice Bates, to be appointed lieutenant-general.

Signal Corps.

Col. James Allen, Signal Corps, to be Chief Signal Officer with the rank of brigadier-general for a period of four years, vice Greely, to be appointed major-general.

POSTMASTERS.

ARIZONA.

George McC. Allison to be postmaster at Globe, in the county of Gila and Territory of Arizona, in place of George M. Allison. Incumbent's commission expired January 21, 1906.

ARKANSAS.

Albert B. Andrews to be postmaster at Harrison, in the county of Boone and State of Arkansas, in place of Albert B. Andrews. Incumbent's commission expired January 16, 1906.

John W. Bell to be postmaster at Greenwood, in the county of Sebastian and State of Arkansas. Office became Presidential January 1, 1906.

A. C. Curtis to be postmaster at Lonoke, in the county of Lonoke and State of Arkansas, in place of John A. Brouse. Incumbent's commission expires February 10, 1906.

Jack Grayson to be postmaster at Prescott, in the county of Nevada and State of Arkansas, in place of Jack Grayson. Incumbent's commission expired January 16, 1906.

David R. Hammer to be postmaster at Siloam Springs, in the county of Benton and State of Arkansas, in place of David R. Hammer. Incumbent's commission expired January 16, 1906.

John O. May to be postmaster at Booneville, in the county of Logan and State of Arkansas. Office became Presidential January 1, 1906.

O. D. Sanborn to be postmaster at Blytheville, in the county of Mississippi and State of Arkansas, in place of James H. Edwards, removed.

John N. Sarber, jr., to be postmaster at Clarksville, in the county of Johnson and State of Arkansas, in place of John N. Sarber, jr. Incumbent's commission expired January 16, 1906.

Henry M. Sugg to be postmaster at Dardanelle, in the county of Yell and State of Arkansas, in place of Henry M. Sugg. Incumbent's commission expired January 16, 1906.

CALIFORNIA.

J. W. Duckworth to be postmaster at Anaheim, in the county of Orange and State of California, in place of Sheldon Littlefield. Incumbent's commission expired January 16, 1906.

COLORADO.

John Alfred to be postmaster at Leadville, in the county of Lake and State of Colorado, in place of John Alfred. Incumbent's commission expired January 20, 1906.

Olie Thorson to be postmaster at Glenwood Springs, in the county of Garfield and State of Colorado, in place of Amelia Williams. Incumbent's commission expired January 20, 1906.

CONNECTICUT.

Roswell S. Edgcomb to be postmaster at Groton, in the county of New London and State of Connecticut, in place of Roswell S. Edgcomb. Incumbent's commission expired January 29, 1906.

James W. Hague to be postmaster at Torrington, in the county of Litchfield and State of Connecticut, in place of James W. Hague. Incumbent's commission expired January 16, 1906.

William H. Marigold to be postmaster at Bridgeport, in the county of Fairfield and State of Connecticut, in place of William H. Marigold. Incumbent's commission expired January 29, 1906.

J. Henry Roraback to be postmaster at Canaan, in the county of Litchfield and State of Connecticut, in place of J. Henry Roraback. Incumbent's commission expired January 29, 1906.

GEORGIA.

Julia Fleming to be postmaster at Sparta, in the county of Hancock and State of Georgia, in place of Julia Fleming. Incumbent's commission expired January 13, 1906.

IDAHO.

Francis M. Winters to be postmaster at Montpelier, in the county of Bear Lake and State of Idaho, in place of John L. Underwood. Incumbent's commission expired January 31, 1906.

ILLINOIS.

Henry Brueggemann to be postmaster at Alton, in the county of Madison and State of Illinois, in place of Wilbur T. Norton. Incumbent's commission expires February 10, 1906.

W. E. Eastman to be postmaster at Moline, in the county of Rock Island and State of Illinois, in place of George H. McKinley. Incumbent's commission expired January 9, 1906.

Thomas G. Lawler to be postmaster at Rockford, in the county of Winnebago and State of Illinois, in place of Thomas G. Lawler. Incumbent's commission expires February 5, 1906.

H. A. J. McDonald to be postmaster at Rock Island, in the county of Rock Island and State of Illinois, in place of Thomas H. Thomas. Incumbent's commission expired January 9, 1906.

INDIANA.

James F. Crawford to be postmaster at Farmersburg, in the county of Sullivan and State of Indiana. Office became Presidential January 1, 1906.

John W. Cronk to be postmaster at Veedersburg, in the county of Fountain and State of Indiana, in place of William H. Malory. Incumbent's commission expired January 20, 1906.

Frank Duffendach to be postmaster at Huntingburg, in the county of Dubois and State of Indiana, in place of John W. Lewis. Incumbent's commission expired January 9, 1906.

Charles Fricke to be postmaster at Tell City, in the county of Perry and State of Indiana, in place of Fred J. Herrmann. Incumbent's commission expired December 12, 1905.

Jesse E. Haddon to be postmaster at Dana, in the county of Vermillion and State of Indiana, in place of Peter Aikman. Incumbent's commission expired December 12, 1905.

John R. Lancaster to be postmaster at Jeffersonville, in the county of Clark and State of Indiana, in place of Newton H. Meyers. Incumbent's commission expired January 13, 1906.

Harry C. Martin to be postmaster at Attica, in the county of Fountain and State of Indiana, in place of Albert S. Peacock. Incumbent's commission expired January 20, 1906.

Lewis Miller to be postmaster at Thorntown, in the county of Boone and State of Indiana, in place of Robert S. Potts. Incumbent's commission expired January 20, 1906.

John H. Spencer to be postmaster at Rockville, in the county of Parke and State of Indiana, in place of Isaac L. Wimmer. Incumbent's commission expired January 9, 1906.

INDIAN TERRITORY.

Art Asbell to be postmaster at Checotah, in District Ten, Indian Territory, in place of Art Asbell. Incumbent's commission expired January 21, 1906.

Nelson L. Eggleston to be postmaster at Minco, in District Nineteen, Indian Territory. Office became Presidential January 1, 1906.

IOWA.

B. E. Allen to be postmaster at Laurens, in the county of Pocahontas and State of Iowa, in place of William F. Atkinson. Incumbent's commission expired January 20, 1906.

Charles L. Early to be postmaster at Sac City, in the county of Sac and State of Iowa, in place of James W. Wilson. Incumbent's commission expired January 20, 1906.

Francis A. Lewis to be postmaster at Marcus, in the county of Cherokee and State of Iowa, in place of Francis A. Lewis. Incumbent's commission expired January 21, 1906.

George H. Loring to be postmaster at Dallas Center, in the county of Dallas and State of Iowa, in place of George H. Loring. Incumbent's commission expired January 31, 1906.

Lewis H. Mayne to be postmaster at Emmetsburg, in the county of Palo Alto and State of Iowa, in place of Lewis H. Mayne. Incumbent's commission expired January 21, 1906.

Fred C. McCall to be postmaster at Nevada, in the county of Story and State of Iowa, in place of Fred C. McCall. Incumbent's commission expired January 20, 1906.

Harold E. Scott to be postmaster at Sibley, in the county of Osceola and State of Iowa, in place of Albert Romey. Incumbent's commission expired January 28, 1906.

Kate C. Warner to be postmaster at Dayton, in the county of Webster and State of Iowa, in place of Kate C. Warner. Incumbent's commission expired January 21, 1906.

KANSAS.

Joseph W. A. Cooke to be postmaster at Ellinwood, in the county of Barton and State of Kansas, in place of Joseph W. A. Cooke. Incumbent's commission expired January 16, 1906.

KENTUCKY.

Cam B. McPherson to be postmaster at Horse Cave, in the county of Hart and State of Kentucky, in place of Eugene W. Veluzat, resigned.

MAINE.

George W. Goulding to be postmaster at Oakland, in the county of Kennebec and State of Maine, in place of George W. Goulding. Incumbent's commission expired January 16, 1906.

MARYLAND.

James P. B. Veirs to be postmaster at Rockville, in the county of Montgomery and State of Maryland, in place of James P. B. Veirs. Incumbent's commission expired January 20, 1906.

MASSACHUSETTS.

James A. Eldridge to be postmaster at Williamstown, in the county of Berkshire and State of Massachusetts, in place of James A. Eldridge. Incumbent's commission expired January 16, 1906.

Merton Z. Woodward to be postmaster at Shelburne Falls, in the county of Franklin and State of Massachusetts, in place of Merton Z. Woodward. Incumbent's commission expired January 16, 1906.

MICHIGAN.

Byron H. Colburn to be postmaster at Lawience, in the county of Van Buren and State of Michigan, in place of John F. Barrows. Incumbent's commission expires February 7, 1906.

Melvin A. Bates to be postmaster at Grayling, in the county of Crawford and State of Michigan, in place of Melvin A. Bates. Incumbent's commission expires February 7, 1906.

Julius O. Becraft to be postmaster at Dowagiac, in the county of Cass and State of Michigan, in place of Julius O. Becraft. Incumbent's commission expired January 20, 1906.

James A. Button to be postmaster at Flint, in the county of Genesee and State of Michigan, in place of James A. Button. Incumbent's commission expired January 20, 1906.

Henry A. Graves to be postmaster at Quincy, in the county of Branch and State of Michigan, in place of Francis E. Marsh, jr. Incumbent's commission expired January 21, 1906.

Milo B. Halliwill to be postmaster at Flushing, in the county of Genesee and State of Michigan, in place of Milo B. Halliwill. Incumbent's commission expired January 20, 1906.

James G. Hayden to be postmaster at Cassopolis, in the county of Cass and State of Michigan, in place of Allen N. Armstrong. Incumbent's commission expired January 20, 1906.

John D. Mangum to be postmaster at Marquette, in the county of Marquette and State of Michigan, in place of John D. Mangum. Incumbent's commission expires February 7, 1906.

MINNESOTA.

Charles C. Eastman to be postmaster at Wadena, in the county of Wadena and State of Minnesota, in place of Charles C. Eastman. Incumbent's commission expired January 21, 1906.

Edward F. Joubert to be postmaster at Wheaton, in the county of Traverse and State of Minnesota, in place of Edward F. Joubert. Incumbent's commission expired January 20, 1906.

Caspar F. Schonlau to be postmaster at Houston, in the county of Houston and State of Minnesota. Office became Presidential January 1, 1906.

James H. Smullen to be postmaster at Lesueur Center, in the county of Lesueur and State of Minnesota. Office became Presidential January 1, 1906.

George M. Young to be postmaster at Perham, in the county of Ottertail and State of Minnesota, in place of George M. Young. Incumbent's commission expired January 20, 1906.

MISSOURI.

William T. Clements to be postmaster at Platte City, in the county of Platte and State of Missouri, in place of William T. Clements. Incumbent's commission expires February 10, 1906.

Simon P. Loebe to be postmaster at Charleston, in the county of Mississippi and State of Missouri, in place of Simon P. Loebe. Incumbent's commission expires February 10, 1906.

Luther McGehee to be postmaster at Joplin, in the county of Jasper and State of Missouri, in place of Luther McGehee. Incumbent's commission expires May 27, 1906.

Henry C. Shubert to be postmaster at Richland, in the county of Pulaski and State of Missouri. Office became Presidential January 1, 1906.

Thomas J. Ulen to be postmaster at Dexter, in the county of Stoddard and State of Missouri, in place of Thomas J. Ulen. Incumbent's commission expires February 10, 1906.

Vinson T. Williams to be postmaster at Stanberry, in the

county of Gentry and State of Missouri, in place of Vinson T. Williams. Incumbent's commission expired January 22, 1906.

MONTANA.

James H. Powell to be postmaster at Virginia City, in the county of Madison and State of Montana, in place of James H. Powell. Incumbent's commission expired January 20, 1906.

NEBRASKA.

Timothy B. Calnon to be postmaster at Lyons, in the county of Burt and State of Nebraska, in place of Timothy B. Calnon. Incumbent's commission expired January 20, 1906.

Chess Chinn to be postmaster at St. Paul, in the county of Howard and State of Nebraska, in place of Richard C. Perkins. Incumbent's commission expired January 21, 1906.

Sanford D. Cole to be postmaster at Wymore, in the county of Gage and State of Nebraska, in place of Sanford D. Cole. Incumbent's commission expires February 10, 1906.

Henry Gietzen to be postmaster at Humphrey, in the county of Platte and State of Nebraska, in place of Henry Gietzen. Incumbent's commission expired January 20, 1906.

Lewis M. Short to be postmaster at Ainsworth, in the county of Brown and State of Nebraska, in place of Lewis M. Short. Incumbent's commission expires February 10, 1906.

NEVADA.

Ephriam D. Turner to be postmaster at Delamar, in the county of Lincoln and State of Nevada. Office became Presidential January 1, 1906.

NEW HAMPSHIRE.

Charles E. Marsh to be postmaster at Greenville, in the county of Hillsboro and State of New Hampshire. Office became Presidential January 1, 1906.

NEW JERSEY.

George L. Clarke to be postmaster at Morristown, in the county of Morris and State of New Jersey, in place of George L. Clarke. Incumbent's commission expired January 21, 1906.

Nathaniel H. Furman to be postmaster at Lawrenceville, in the county of Mercer and State of New Jersey. Office became Presidential January 1, 1906.

Richard F. Goodman to be postmaster at Newton, in the county of Sussex and State of New Jersey, in place of Richard F. Goodman. Incumbent's commission expired January 30, 1906.

George M. MacDonald to be postmaster at Springfield, in the county of Union and State of New Jersey, in place of George M. MacDonald. Incumbent's commission expired January 21, 1906.

NEW MEXICO.

Luther M. Shely to be postmaster at Santa Rosa, in the county of Guadalupe and Territory of New Mexico. Office became Presidential January 1, 1906.

NEW YORK.

Fred M. Askins to be postmaster at Schaghticoke, in the county of Rensselaer and State of New York, in place of Fred M. Askins. Incumbent's commission expires February 5, 1906.

Henry A. France to be postmaster at Far Rockaway, in the county of Queens and State of New York, in place of Henry A. France. Incumbent's commission expired January 23, 1906.

George H. Hubbs to be postmaster at Central Islip, in the county of Suffolk and State of New York. Office became Presidential January 1, 1906.

Charles W. Penny to be postmaster at Patterson, in the county of Putnam and State of New York, in place of Charles W. Penny. Incumbent's commission expires February 10, 1906.

Fred M. Woolley to be postmaster at Boonville, in the county of Oneida and State of New York, in place of Eugene N. Hayes. Incumbent's commission expires February 10, 1906.

NORTH CAROLINA.

Stella S. Britt to be postmaster at Franklinton, in the county of Franklin and State of North Carolina. Office became Presidential January 1, 1906.

NORTH DAKOTA.

Thomas H. Thoralsen to be postmaster at Grafton, in the county of Walsh and State of North Dakota, in place of Thomas H. Thoralsen. Incumbent's commission expired January 20, 1906.

Percy R. Trubshaw to be postmaster at Cooperstown, in the county of Griggs and State of North Dakota, in place of Percy R. Trubshaw. Incumbent's commission expired January 20, 1906.

OHIO.

Thomas E. Frisbee to be postmaster at Prairie Depot, in the county of Wood and State of Ohio, in the place of George E. Reed, resigned.

Charles E. Hard to be postmaster at Portsmouth, in the county

of Scioto and State of Ohio, in place of Philo S. Clark. Incumbent's commission expires February 13, 1906.

Isaac N. Medford to be postmaster at Fort Recovery, in the county of Mercer and State of Ohio, in place of Isaac N. Medford. Incumbent's commission expired January 13, 1906.

Edwin Morgan to be postmaster at Alliance, in the county of Stark and State of Ohio, in place of Benjamin F. Trescott. Incumbent's commission expired January 16, 1906.

John N. Snoots to be postmaster at Roseville, in the county of Muskingum and State of Ohio, in place of Thomas N. Sowers. Incumbent's commission expired January 13, 1906.

George L. Stoughton to be postmaster at Westerville, in the county of Franklin and State of Ohio, in place of George L. Stoughton. Incumbent's commission expires February 20, 1906.

George R. Vincent to be postmaster at Hiram, in the county of Portage and State of Ohio, in place of George R. Vincent. Incumbent's commission expired January 16, 1906.

Chester R. P. Waltz to be postmaster at Delta, in the county of Fulton and State of Ohio, in place of Chester R. P. Waltz. Incumbent's commission expires February 13, 1906.

Fred Yeager to be postmaster at Perrysburg, in the county of Wood and State of Ohio, in place of Fred Yeager. Incumbent's commission expires February 13, 1906.

OREGON.

O. A. Wolverton to be postmaster at Monmouth, in the county of Polk and State of Oregon, in place of Frank Lucas, resigned.

PENNSYLVANIA.

Eliza Kirkpatrick to be postmaster at Spangler, in the county of Cambria and State of Pennsylvania. Office became Presidential January 1, 1906.

Daniel S. Knox to be postmaster at Tionesta, in the county of Forest and State of Pennsylvania, in place of Daniel S. Knox. Incumbent's commission expires February 17, 1906.

David L. Laughery to be postmaster at Vanderbilt, in the county of Fayette and State of Pennsylvania. Office became Presidential January 1, 1906.

Charles M. McDanel to be postmaster at New Brighton, in the county of Beaver and State of Pennsylvania, in place of Charles M. McDanel. Incumbent's commission expired January 20, 1906.

Charles W. Zook to be postmaster at Roaring Spring, in the county of Blair and State of Pennsylvania, in place of Charles W. Zook. Incumbent's commission expired January 16, 1906.

RHODE ISLAND.

Moise Meunier to be postmaster at Arctic, in the county of Kent and State of Rhode Island, in place of Moise Meunier. Incumbent's commission expired January 21, 1906.

SOUTH CAROLINA.

Joshua F. Ensor to be postmaster at Columbia, in the county of Richland and State of South Carolina, in place of Joshua F. Ensor. Incumbent's commission expired January 16, 1906.

William F. Rice to be postmaster at Denmark, in the county of Bamberg and State of South Carolina. Office became Presidential January 1, 1906.

SOUTH DAKOTA.

Frederic J. Brown to be postmaster at Britton, in the county of Marshall and State of South Dakota, in place of Frederic J. Brown. Incumbent's commission expired January 20, 1906.

Charles E. Johnson to be postmaster at Bridgewater, in the county of McCook and State of South Dakota, in place of Charles E. Johnson. Incumbent's commission expires February 13, 1906.

William C. Mathieson to be postmaster at Fort Pierre, in the county of Stanley and State of South Dakota. Office became Presidential October 1, 1905.

Walter McKay to be postmaster at Lead, in the county of Lawrence and State of South Dakota, in place of Walter McKay. Incumbent's commission expired January 20, 1906.

John C. McMillan to be postmaster at Sturgis, in the county of Meade and State of South Dakota, in place of John C. McMillan. Incumbent's commission expired January 21, 1906.

Addison H. Pease to be postmaster at Wagner, in the county of Charles Mix and State of South Dakota. Office became Presidential January 1, 1906.

Charles J. Porter to be postmaster at Madison, in the county of Lake and State of South Dakota, in place of Frank L. Mease. Incumbent's commission expired January 21, 1906.

John A. Stanley to be postmaster at Hot Springs, in the county of Fall River and State of South Dakota, in place of John A. Stanley. Incumbent's commission expired January 21, 1906.

TENNESSEE.

Giles Rives to be postmaster at Brownsville, in the county of Haywood and State of Tennessee, in place of Giles Rives. Incumbent's commission expires February 7, 1906.

TEXAS.

Frank C. Blaine to be postmaster at Del Rio, in the county of Valverde and State of Texas, in place of Henry D. Bonnett, removed.

Nathan Leavitt to be postmaster at Stamford, in the county of Jones and State of Texas, in place of Nathan Leavitt. Incumbent's commission expired January 16, 1906.

H. E. Kinsloe to be postmaster at Corsicana, in the county of Navarro and State of Texas, in place of James W. A. Clark. Incumbent's commission expired January 13, 1906.

VERMONT.

Frederick Chapman to be postmaster at Woodstock, in the county of Windsor and State of Vermont, in place of Frederick Chapman. Incumbent's commission expired January 13, 1906.

Ralph E. Jones to be postmaster at Richmond, in the county of Chittenden and State of Vermont. Office became Presidential January 1, 1906.

VIRGINIA.

John M. Griffin to be postmaster at Fredericksburg, in the county of Spottsylvania and State of Virginia, in place of John M. Griffin. Incumbent's commission expired January 20, 1906.

William T. Miller to be postmaster at Shenandoah, in the county of Page and State of Virginia, in place of William T. Miller. Incumbent's commission expired January 21, 1906.

Charles P. Smith to be postmaster at Martinsville, in the county of Henry and State of Virginia, in place of Charles P. Smith. Incumbent's commission expired January 20, 1906.

Charles H. Revercomb to be postmaster at Covington, in the county of Alleghany and State of Virginia, in place of Charles H. Revercomb. Incumbent's commission expires February 10, 1906.

Edwin M. C. Quimby to be postmaster at Suffolk, in the county of Nansemond and State of Virginia, in place of Luzerne P. Harper. Incumbent's commission expired January 21, 1906.

WISCONSIN.

Henry Curran to be postmaster at Stevens Point, in the county of Portage and State of Wisconsin, in place of Henry Curran. Incumbent's commission expired January 20, 1906.

Jorgen C. Jacobson to be postmaster at Elroy, in the county of Juneau and State of Wisconsin, in place of Jorgen C. Jacobson. Incumbent's commission expires February 28, 1906.

WYOMING.

George W. Hoyt to be postmaster at Cheyenne, in the county of Laramie and State of Wyoming, in place of George W. Hoyt. Incumbent's commission expired January 28, 1906.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 1, 1906.

SURVEYOR-GENERAL.

William S. Graham, of California, to be surveyor-general of California.

DISTRICT COMMISSIONER.

Henry L. West, of the District of Columbia, to be a Commissioner of the District of Columbia for the term of three years.

DISTRICT ATTORNEY.

Ernest F. Cochran, of South Carolina, to be United States attorney for the district of South Carolina.

REGISTERS OF LAND OFFICES.

J. C. Herman Engel, of Anoka, Minn., to be register of the land office at Duluth, Minn.

Charles D. Ford, of Colorado, to be register of the land office at Denver, Colo.

POSTMASTERS.

ALABAMA.

William Moseley to be postmaster at Decatur, in the county of Morgan and State of Alabama.

OREGON.

Merritt A. Baker to be postmaster at Weston, in the county of Umatilla and State of Oregon.

PENNSYLVANIA.

John M. Carson to be postmaster at Homer City, in the county of Indiana and State of Pennsylvania.

Clayton O. Slater to be postmaster at Latrobe, in the county of Westmoreland and State of Pennsylvania.

George Sowash to be postmaster at Irwin, in the county of Westmoreland and State of Pennsylvania.

TEXAS.

Lon M. Barkley to be postmaster at Fort Worth, in the county of Tarrant and State of Texas.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 1, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

COTTON STATISTICS.

Mr. CRUMPACKER. Mr. Speaker, I send to the Clerk's desk a privileged report from the Committee on the Census.

The SPEAKER. The gentleman from Indiana submits the following privileged report from the Committee on the Census, which will be read by the Clerk.

The Clerk read as follows:

Resolved. That the Secretary of Commerce and Labor be requested to direct the Director of the Census to compile and transmit to the House of Representatives the ginners' estimates of cotton remaining to be ginned which were collected in connection with its semimonthly canvass of January 16 last.

With the following amendments:

In line 2, after "requested," insert "if not incompatible with the public interests."

In line 5 strike out the word "its" and insert "his."

Mr. CRUMPACKER. Mr. Speaker, the law requires the Director of the Census to collect statistics of cotton ginned each year and to make semimonthly reports thereof, beginning on the 1st of September and concluding on the middle of January following. The law further requires the Director to make a final canvass and a final report in the month of March of all the cotton ginned during the year. It has been the custom of the Census Office for the last few years, in connection with the mid-January canvass, to procure estimates from the canvassers respecting the quantity of cotton that remains to be ginned. In many instances by the middle of January all the cotton in given counties has been ginned, and when that fact is known the Director can save the expense of sending canvassers into those counties to make the final canvass. The Director has collected these estimates purely for the purposes of his own office and to enable him intelligently and economically to make a canvass for the final report. The estimates are compiled and tabulated by counties only. I think they never have been tabulated by States, and no information has even been given out or obtained from the Census Office in relation to the results of these estimates. The Director is not required by law to make the estimates.

Mr. BURLESON. It was never intended that he should.

Mr. CRUMPACKER. It was never intended that he should. It is a voluntary matter with him, and he had the work done purely in the interest of economy; but market conditions of cotton are peculiar at this time, and there is a demand in many parts of the country that the public is entitled to the estimates and is entitled to all of the information the Director of the Census has in connection with the quantity of cotton yet remaining to be ginned. The president of the Cotton Ginners' Association came before the committee and said that practically all the cotton ginners insisted on this information. The president of the Cotton Growers' Association has wired and written the Director of the Census, insisting that the public is entitled to the cotton estimates. The Director of the Census, I think, realizes the fact that he made a tactical mistake in ever having got this information. In the statement he made before the committee, which is embodied in the report, he says that he never will collect estimates of this kind or of any other kind again without direct authorization by Congress.

Mr. BURLESON. It is the exclusive function of the Bureau of Statistics of the Agriculture Department to make estimates of the cotton crop, and as I now understand the gentleman from Indiana the Director positively assures us he will never again collect data embracing elements of estimation?

Mr. CRUMPACKER. He says that estimates will never be collected for any purpose, whatever expense may be saved, without authorization. He has been able by the estimates to save from eight to twelve thousand dollars in making the March canvass, but he realizes now it is very dangerous information to have about the office.

The committee concluded that there would be no harm to the office, and perhaps it would be as well if the public was given the information, such as it is. The estimates were made purely to enable the Director to know what counties should be canvassed in March and what might safely be omitted. They are necessarily imperfect, even as estimates.

Mr. BURLESON. I would like to ask the gentleman a question.

Mr. CRUMPACKER. Certainly.

Mr. BURLESON. I would like to ask the gentleman how this information is to be given out?

Mr. CRUMPACKER. This resolution requires that it be reported to the House. I suppose if it is to be given out, satisfactory arrangements can be made as to the method.

Mr. BURLISON. Why not amend the resolution by inserting the method in which he shall issue it?

Mr. CRUMPACKER. I think that would destroy the privileged character of the resolution. Matter not privileged in a resolution of this kind will destroy its privilege. We have only the right to call for information from the head of a Department, and to provide in a resolution of inquiry directions respecting the execution of certain functions would destroy the privileged character of the resolution. I think it can be arranged so that the Director will give out the information in precisely the same manner that he gives out the semimonthly reports, or in the same manner as the Agricultural Department gives out estimates.

Mr. LIVINGSTON. He must give it out to the Speaker of the House in a sealed envelope.

Mr. MANN. May I ask the gentleman a question?

Mr. CRUMPACKER. Yes.

Mr. MANN. Of course the value of the statistical information is by the way of comparison. Is there any estimate by which comparisons can be made after this information comes out?

Mr. CRUMPACKER. Nothing except that the country gets the amount of cotton actually ginned after the mid-January canvass. The estimates can be compared with former reports, but, of course, the seasons are so dissimilar—I mean the cotton-ginning season—that comparisons are not of great value. There is a controversy between the cotton owners and the cotton buyers—one class insisting that there are a million bales of cotton yet to be ginned, another class insists that there are not over a hundred thousand bales remaining to be ginned. The controversy seems to be sharp and bitter and the cotton market is in a feverish state, and these resolutions may have the effect of intensifying the controversy.

Mr. MANN. Is this information at all perfect or complete?

Mr. CRUMPACKER. It consists of estimates made by official canvassers, who inquire of the ginners about how much there is to be ginned in the various counties in the January canvass.

Mr. SULZER. May I ask the gentleman a question?

Mr. CRUMPACKER. Certainly.

Mr. SULZER. Does this resolution carry any appropriation?

Mr. CRUMPACKER. No; it does not.

Mr. MANN. I am asking for information, on account of what has appeared in the public press, which seems to indicate that there is nothing upon which a fair comparison can be based. The Director of the Census has stated the information was not complete and could not be used as a basis of comparison and might be very misleading.

Mr. LOVERING. Will the gentleman from Indiana permit me?

Mr. CRUMPACKER. Yes.

Mr. LOVERING. May I suggest that it will be perfectly proper and safe for the information which has been asked for by this resolution to be placed in the hands of the Speaker and given out by the Clerk to-morrow morning at a given time, immediately after the reading of the Journal? I am satisfied that in no other way will it be absolutely satisfactory to everybody concerned.

Mr. CRUMPACKER. I presume under the direction of this resolution the Director of the Census would transmit this information in a sealed envelope to the Speaker of the House, without giving anybody any information respecting the result of the estimate at all. If that is satisfactory to the gentleman, it can go to the Speaker in that way and the Speaker, of course, will lay it before the House.

Mr. LOVERING. In that case it would take the natural course, would it not?

Mr. CRUMPACKER. Yes. Now, Mr. Speaker, I ask unanimous consent to print in connection with my remarks the report of the committee, the statement of the Director of the Census as to the manner in which these estimates were taken, where they were taken, and what for.

The SPEAKER. The gentleman from Indiana asks unanimous consent to print in the RECORD a communication from the Director of the Census touching this resolution, together with the report of the committee. Is there objection. [After a pause.] The Chair hears none.

The report and communication are as follows:

The Committee on the Census, to whom was referred House resolution 199, recommend that the resolution be amended by inserting after the word "requested," in line 2, the following: "if not incompatible with the public interests;" and by striking out the word "its," in

line 5, and substituting therefor the word "his," and that the resolution thus amended do pass.

The Director of the Census is required under the law to collect statistics of the amount of cotton ginned throughout the country and make semimonthly reports thereon as the ginning progresses, beginning with the 1st of September and ending the 16th day of the following January in each year. The law further requires the Census Office to make a final report of all the cotton ginned in March of each year. For several years it has been the custom of the Census Office, in connection with the mid-January report, to procure estimates from the ginners as to the probable quantity of cotton remaining yet to be ginned. These estimates are gotten for the purpose of enabling the Director to know in what counties the cotton is all ginned, so he may not put the Government to the expense of having a canvass made where there is no cotton to be ginned after the mid-January canvass. The Census Office, by the aid of these estimates, is able to save from \$8,000 to \$10,000 a year in the making of the final canvass for the report in March. The estimates come from the canvassers in the several counties, and it is not necessary that they be tabulated or compiled, and this is not usually done.

When it is shown by the estimates that the cotton is practically all ginned in a given county, the Director does not employ a special agent to make a canvass of that county for the final report.

The cotton market is somewhat feverish at this time, and various assertions are made by those interested respecting the amount of cotton that remains unginned for the present year, and it has become known that the Census Office has estimates made by the various canvassers of the quantity remaining to be ginned. This information has excited considerable concern upon the part of cotton owners and cotton buyers, and repeated requests have been made to the Census Office for this information. The Director has declined to give out or permit any information respecting the estimates that the Office has to be given out. His position is that the estimates are made purely for the purpose of enabling him to know what counties should be canvassed for the final report that he may be able to do the work with as little expense as possible.

The Census Office is an office of actual statistics and not estimates, and it is contrary to the very purpose of the Office that it go into the business of making estimates of anything and giving them out for public information. In view, however, of the wide divergence between cotton buyers and cotton owners respecting the probable amount of cotton yet remaining unginned, the buyers insisting that there are upward of 1,000,000 bales and the cotton owners insisting that there are not more than 100,000 bales unginned, the estimates in the Office are of peculiar value.

The Director very properly declines to furnish any information respecting the estimates without being ordered to do so by Congress, and if he had supposed that any demand would have been made for them he probably would not have taken them. In a hearing before the Census Committee the Director explained his position respecting the estimates, and the manner in which they were secured, as follows:

"I will briefly state the facts in regard to the cotton estimates referred to in this resolution, and the attitude of the Director of the Census regarding their compilation and publication.

"First. I wish to state that it is no part of the function of the census to gather and make estimates of any kind. A census is a count—an enumeration; and the usefulness of the Census Office will be impaired, in my judgment, whenever it is required by law to substitute estimates, on any subject, for an actual count or enumeration. Estimates are necessary and important, in many matters; but in all such cases, if the Government must make them, the duty should be devolved upon some other Government bureau than the Census Office.

"Second. I desire to fully explain the reason why the Census Office at its mid-January canvass has called for these estimates by ginners of the quantity of cotton remaining to be ginned at that date. They are asked for solely as an aid to the Office in the efficient and economical administration of the law. They are used as a guide in the organization of the final canvass of the ginneries, which takes place in March. Wherever the estimates show that there is no more cotton to be ginned in a county or that the amount is insignificant, no final canvass is necessary.

"The possession of this information generally enables us to save from \$8,000 to \$12,000 in the cost of the final canvass. It is also useful in determining the best date for the final canvass, for it indicates if the season is unusually early or unusually late—a fact which should govern us more or less in fixing the proper date for the final canvass. No other use is made of it, and no question has ever arisen regarding its publication until this year. No question would have arisen now, but for the fact that some people think that the present market value of cotton depends upon the amount of cotton grown that remains unginned and therefore not hitherto reported. This demand, coming in this sudden way, is an experience from which I learn a lesson. Valuable and economical as these data have been to the office in reducing the cost of these cotton reports, they will never be asked for again while I remain Director, unless the law is amended to require them. They are too closely allied to dynamite to be a comfortable asset of the Census Office. We shall have to devise some new method of ascertaining what cotton-producing counties can properly be omitted from our final canvass.

"Third. The sole purpose of these estimates being an administrative one, the Census Office has never required a careful or accurate canvass, and the returns received have therefore always been defective and of no value from a statistical point of view. They answer the purpose for which they are intended if they possess only an approximate degree of accuracy. I have therefore declined, in response to many insistent requests, to make them public at this particular time.

"Fourth. As a matter of law, after a careful study of all the legislation on the subject, I believe the Director has no authority to promulgate these estimates.

"Fifth. But there is another reason for this declination, which I esteem no less important. I am unwilling on my own volition to depart in any way or degree from the established methods of the Census Office in the publication of these reports, without opportunity to previously inform the public of the intention, accompanied by a full explanation of the reasons why the change is made.

"The success of the cotton-statistical work which Congress has imposed upon the Census Office depends absolutely upon the public confidence in the integrity of the Office in the collection and publication of these data. We can only preserve this confidence by pursuing a straight and narrow pathway. Any deviation from that pathway must naturally arouse suspicion and raise the question: In whose interest is the change made?

"Sixth. If such a radical deviation is now to be made, the Director

of the Census is not willing to accept the responsibility. No man, in Congress or out of it, has a right to ask him to assume such a responsibility. The best service he can render the Government is to do nothing which can be so construed or tortured as to justify a question as to the motive behind his act.

"Seventh. Congress has placed upon the Director of the Census the difficult duty of collecting and promulgating these reports on the quantity of cotton ginned to given dates. It is therefore the duty of Congress to protect the Director in the discharge of that duty. It was with a view to thus protecting him, as I understand it, that this resolution was introduced. Since the resolution is here, the House of Representatives must take the responsibility of saying whether the estimates referred to shall be given to the public or reserved for the purpose which led to their collection.

"If the House sees fit to command the Director of the Census to depart from the usual and understood method in the present case, as the President did when the date fixed for promulgating the first January canvass happened to fall upon a legal holiday in New Orleans, when the cotton exchange was closed, nobody can question his motives or action. If the House declines to pass this resolution, no one can criticize the Director for declining to do what he has never yet done or been expected to do."

While it is not desirable for the Census Office to procure estimates of the cotton crop or of any other crop, since the office is in possession of the estimates in question, it is doubtless better that they be made public without delay.

Mr. CRUMPACKER. Mr. Speaker, I now yield to the gentleman from Tennessee [Mr. Sims], the author of the resolution, for ten minutes.

Mr. SIMS. Mr. Speaker, I think I can state clearly the object of introducing this resolution, as I introduced it myself. It has been sufficiently stated by the gentleman from Indiana [Mr. CRUMPACKER] why the Director asks for estimates, at the time he asked for the cotton ginned January 16. The cards sent out to make these inquiries were the cards sent out by the office to ascertain the amount actually ginned. Three sorts of information were asked for on these cards. First, how much was ginned between the 31st of December and the 16th of January? Second, how much was estimated, and, third, the weight of bales. Every ginmer of the 30,000 or more to whom these cards were addressed gave answers to the inquiries, with some exceptions.

Every ginmer knew that these inquiries were made. They published to the world that they had answered these inquiries, and then when the Director of the Census, acting under the law, published the amount of cotton ginned, which was all he had any authority to publish, the ginners naturally, and through them the people, could not understand why he had asked for information and only gave out the result of one of the three inquiries. In that way it became known that the ginners had reported to him the estimate of cotton to be ginned, and naturally the people who owned cotton wanted to know what that estimate was. The gentleman from Illinois [Mr. MANN] asked if there were any data by which comparisons might be made. I desire to state to the gentleman from Illinois [Mr. MANN] that large cotton operators, speculators, and also cotton consumers and the members of the Cotton Exchange in New York and in New Orleans and of the Liverpool Cotton Association make estimates of the cotton to be ginned after each report. A very distinguished and celebrated operator in New York, Theodore Price, gave out immediately after the 16th of January report was made that there would be 700,000 bales of cotton to be ginned after that date, and further, as stated in the newspapers, that he was going to make an estimate of the cotton ginned to February 1. Now, as every operator of any consequence—as do the spinners and manufacturers—makes estimates of the cotton to be ginned, and have done so, it is certainly necessary, in order for the people to form a proper judgment of the amount of cotton grown for the year, to have the information of the amount yet to be ginned from the best possible source, and that is from the ginners themselves, who made it to the Director of the Census under an inquiry addressed directly to them. Why should it not be accurate? There is no more reason why this estimate should not be accurate than any other estimate made by those best fitted and qualified to make it. I hope there will not be remarks made here that are calculated to discredit this estimate in advance, because heretofore every year the ginners have been asked for the March report—to return the estimate of cotton yet to be ginned—and the Director of the Census has thought that of sufficient accuracy to publish it with his final report. I asked him, when before the committee—as I was present by the courtesy of the committee—if this inquiry for cotton to be ginned to be reported on the 16th of January was not of the exact form and manner that he made the inquiry for the final estimate to be made by the ginners, and he said that it was. So this House and the country will have the estimate of the ginners themselves, who do the ginning, who are acquainted in their respective neighborhoods, who have the best possible opportunity to know what cotton remains to be ginned. This information will be of value to those who want to buy cotton and to those who want to sell cotton. The

producers are all sellers and the consumers are all purchasers, and this information comes from the best and most reliable source. There never was, of course, an estimate that was absolutely accurate, and neither is it expected that this will be absolutely accurate.

Mr. LIVINGSTON. Mr. Speaker, I would suggest that not only has it been taken in the usual form upon the usual cards, but out of the 800 cotton counties, 682 are tabulated and lie in the Census Office tabulated, and it makes a dangerous element to the public to have those things lying there in a private way. It is absolutely necessary that they should be given to the public.

Mr. SIMS. I accept the statement of the gentleman from Georgia [Mr. LIVINGSTON], but do not give it as my own knowledge, for I have not made inquiry.

Mr. LIVINGSTON. I state it on my own knowledge. I got it from Mr. North.

Mr. SIMS. Further, the Director of the Census has no objection to this resolution, but would be glad to have it pass, because there lies that information in the hands of three men. Only three know it—the Director himself, Mr. Stewart, and Mr. Roper—and if this resolution does not pass, it is held there until the final canvass in March, with those men subject to every possible accusation and suspicion, however wrongfully. Not that there is anything of suspicion in their conduct or any just grounds for it, but we know what happened in the Agricultural Department—parties there who had not been suspected turned out to be giving valuable information to certain interested parties and benefited by it. So they think and I think that they should be relieved from that responsibility. I accept their word in the best of good faith that they have obtained this information as the means of helping along the administration of their Office in the most economical manner, but, as I look at it, if they have it, the world had better know what it is rather than suspect what it is.

Mr. BURLESON. Do you not think it would be much better if this announcement should be made by the Director of the Census in the usual way, and not through the House at all?

Mr. SIMS. Mr. Speaker, I do not know how that could be done; for instance—

Mr. BURLESON. It can be done by amending this resolution by unanimous consent.

Mr. SIMS. Here is an inquiry addressed by order of Congress to a Department to make report to Congress. That report comes in the usual way in a sealed envelope to the Speaker of the House, and the Speaker of the House makes known to the House the communication in the usual way. Now, then, to undertake to direct it in any other way I do not think would comport with the dignity of this House. To call for information from a Department of the Government and authorize the chief of Bureau to make it public at the time he sends it to the Speaker of the House, I think the Speaker himself would hardly feel he has received the deference to which he is entitled for a subordinate to make known his reply to the House before the Speaker has received it himself.

Mr. BURLESON. The purpose was to put everybody upon an equal footing.

Mr. SIMS. Everybody will get it exactly at the same time if made known in the usual way.

Mr. GRIGGS rose.

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Georgia?

Mr. GRIGGS. Mr. Speaker, I thought the gentleman from Tennessee had finished, and I wanted to get the floor.

Mr. SIMS. Now, Mr. Speaker, I have not got a bale of cotton actual or in contract. I am neither long nor short. I personally have no interest in introducing this resolution, but I think it best for the country and best for the Census Bureau itself, so everybody can do their own guessing after they receive the best source of information upon which to base guesses.

Mr. SULZER. Mr. Speaker, will the gentleman allow me to ask him a question?

Mr. SIMS. Certainly.

Mr. SULZER. Do you believe that the adoption of this resolution will have a tendency to do away to some extent with gambling in cotton options on the New York Cotton Exchange? If it does not, it ought to be amended to stop this riotous gambling in futures.

Mr. SIMS. I do not know. It may accelerate it, but I assure the gentleman that that is not my object and purpose. I can not foresee what will be the effect. As the gentleman from Indiana says, we do not know what it is ourselves; that we do not know what the effect will be, but I always think the truth is better than uncertainty or guesses.

Mr. MANN. There is no doubt whatever truth is better, but sometimes the publication of a half truth is much worse than if they did not publish anything, and that is the only point, I think, the House wants information about.

Mr. SIMS. The House wants to know how much cotton the ginner's estimate is yet to be ginned. That will be the truth. Whether the estimate is correct or incorrect is a question for everybody's judgment.

Mr. MANN. That is true if these estimates are at all complete or accurate.

Mr. LIVINGSTON. That is all the Department of Agriculture has, estimates, and they put it out.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. CRUMPACKER. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Speaker, I am opposed to this resolution for the reason it is another effort to throw out information in relation to the cotton market. A similar effort was made about three weeks ago, and a resolution was introduced and referred to the Agricultural Committee, asking for a supplemental report from the Department of Agriculture on the cotton crop. The gentleman from Indiana has referred to the fact that the people interested in this are the producers of cotton and the consumers of cotton—the manufacturers. There is another class interested in this, which are the merchants engaged in the cotton business. They appeared before the Committee on Agriculture, and the demand for the supplemental report of the Agricultural Department on the estimated cotton crop was almost unanimously refused by the Committee on Agriculture. And, Mr. Speaker, very wisely so, for the one thing that is necessary, in my judgment, both to the manufacturer and to the raiser of cotton, is certainty, and not this continual upset of prospects of the price of cotton, so that those who are actually engaged in the business of producing and manufacturing cotton shall not be subject to the ups and downs of the cotton market in New York. It is the people who are interested in speculation that are continually asking for these further reports. And why? Those who wish to raise the price of cotton are disappointed in the last report and demand another, hoping it will be in their direction, and those who are gambling to depress the price of cotton demand a supplemental report, either from the Agricultural Department or from the Census Bureau, in the hope it will favor them. Now, Mr. Speaker, the one subject, in my judgment, that is more important than anything else, and particularly to the mercantile class, in whose interests I am speaking now, and who have a great interest in this—for in their business above all they are neither trying to push up the price of cotton nor depress it as are these other conflicting interests—is that they desire that certainty which all merchants want, so that they can make their contract for the future with some certainty as to the result.

I trust this further effort, which failed so utterly before the Committee on Agriculture, will again fail. That committee certainly ought to be better informed on this subject than any other committee of this House. The resolution demanding a supplemental report was almost unanimously rejected by that committee. In regard to the purpose of the present resolution, there is quite a difference of opinion among the best informed as to whether the Agricultural Department or the Census Bureau should make adverse reports. You have two Departments of the Government making reports on identically the same subject, and they come in here conflicting one with the other. In my judgment, this resolution should not prevail, for the reason I have stated, and that when the same subject was before the Committee on Agriculture it was almost unanimously rejected.

Mr. CRUMPACKER. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LOVERING. Mr. Speaker, in regard to the resolution itself, there is no difference of opinion between the Members of the House on the one side or the other. The only question that arises is as to the method of making it public. It seems to me it is perfectly proper to let it go, as all other information goes, to the Speaker of the House, to be treated as he shall choose to treat it, either to refer it to a committee or have it announced on the floor of the House. That seems to me to be right. There is another course which seems to me to be perfectly feasible, proper, and unobjectionable and which I will embody in an amendment and offer to the present resolution at the proper time, as follows:

On page 1, line 3, after the word "and," strike out the words "transmit to the House of Representatives" and insert in lieu thereof the following: "announce the same in the same manner of announcing his semimonthly reports of cotton ginned."

Mr. BURLESON. I will ask the gentleman if he does not think he ought to fix the hour in there?

Mr. PAYNE. The gentleman from Massachusetts just read something which I understood he would propose as an amendment at the proper time or offers now.

Mr. BURLESON. The gentleman asked unanimous consent, as I understand it.

Mr. PAYNE. I object to that.

The SPEAKER. The matter is not now subject to amendment in the time of the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. I yielded to the gentleman from Massachusetts [Mr. LOVERING].

The SPEAKER. For what purpose did the gentleman yield?

Mr. CRUMPACKER. I yielded three minutes to the gentleman from Massachusetts, and I want to know if his time has expired. When the gentleman has finished, I will claim the floor.

The SPEAKER. The gentleman from Massachusetts proposes to offer an amendment, to which there is objection at this time.

Mr. LOVERING. Mr. Speaker, I do not offer it at this time. I gave notice that I should offer it.

I desire to say, for the information of the gentleman from New York, that if this is adopted by the House it will stop, if anything can stop, exactly what the gentleman is trying to stop. There is no difference of opinion between Members on one side or the other, whether of the market or of this House, North or South, cotton spinner or dealer. There is no difference of opinion as regards this resolution. We all agree on it, and I think the chairman of the committee will accept the amendment.

Mr. CRUMPACKER. I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I objected to this amendment because I do not wish to hasten by the action of the House the getting of information to help speculating and gambling in cotton. I neither want to help the bulls nor help the bears. I am getting heartily sick and tired of this continued attempt to force information, which is not full information, but half information, upon the country upon this subject. I think it is bad enough when we get the full returns and the full official information. As I understand it to-day, the Director of the Census has sent out to the various cotton-gin establishments in the States, so far as he has been able, in order to get information to report next month upon this subject. I understand he says himself that it is not full information; that he has not sent inquiries into all the counties; that it will not be complete when it comes in. Therefore I do not think that the House ought to be used in this way, or the power of the House or the Census Bureau to get imperfect information—advance information, which is imperfect—in regard to the cotton crop. I think it is bad enough if we wait for the time when this information is due, because when it does come it always works either to unduly advance the price of cotton or unduly depress the price of cotton. It is unfair both to the dealers and the consumers that this perpetual or weekly or monthly attempt should be made in the House to get information which is not as full as it would be at the end of the year, or at the usual time. Therefore I am opposed to this amendment, and I do not believe in the resolution. I think we ought to wait until we get the full report.

Mr. LIVINGSTON. If the gentleman will permit, I want to say to the gentleman from New York that the information is as perfect as it ever has been in the Census Bureau or the Agricultural Bureau.

Mr. PAYNE. Well, I understand the Director himself says that it is not as full and complete and perfect as he will have by the usual time in March; and we all know about those things that they are not as complete as they ought to be at the last.

Mr. LIVINGSTON. I want to say to the gentleman that I personally saw the cards which have been sent out and the answers made, and the information is as perfect as it will ever be, and Mr. North said so to me in person. Now, you have it.

Mr. PAYNE. Well, there seems to be difference about that. The information comes officially to the House, and I see no reason to retract any statement I have made in regard to the incomplete investigation. It can have but one result, and that is either to unduly advance or unduly depress the price of cotton, either of which is a wrong upon the consumer or upon the grower of the country.

Mr. ALEXANDER. May I ask the gentleman from New York to be a little more specific as to the manner and respect in which this will depress or advance the price of cotton?

Mr. PAYNE. If there is a return of a big cotton crop, then, of course, the price goes down; if there is a return of a light cotton crop, then it goes up; and the gentleman knows that if

they go into the produce exchange and get to buying or selling cotton or any other commodity that the prices are either unduly advanced or depressed by any such report. That is always the result.

Mr. ALEXANDER. But I do not understand, if the gentleman will allow me, that this goes to the future, but to the past. What is there in it that authorizes you to say so?

Mr. PAYNE. This refers to the present crop—the crop partially ginned and to be ginned in the future. It affects the crop coming into market and nothing else.

Mr. ALEXANDER. I do not so understand.

Mr. PAYNE. Well, I do.

The SPEAKER. The time of the gentleman has expired.

Mr. CRUMPACKER. I yield five minutes to the gentleman from Texas.

Mr. BURLISON. Mr. Speaker, I sincerely regret that this data, which can not be correctly termed "statistical information," has been gathered by the Director of the Census. It was never intended when this plan of gathering cotton statistics was inaugurated that the Director of the Census should at any time gather information or statistical data into which there entered in the slightest degree the element of estimation. It was intended that the Bureau of Census should deal only with accomplished facts and should at no time venture into the field of speculation as to what might be. But, gentlemen, inasmuch as the Census Bureau has gathered this data, which, according to what has been said, is not properly census work, but is only an estimate, and inasmuch as it is charged that it can be used, or might if improperly used, to seriously affect the price of this great staple, I can not see how we can refuse to make it public. In fact, I think it wise to promptly publish it to all the world. It is very gratifying to me to know that the assurance has been given by the Director of the Census that he will never permit this character of data to again be gathered.

I only regret that the data he has gathered this time and which is now under discussion can not be burned or destroyed rather than be made public; but inasmuch as that can not be, I agree with the proponent of the resolution, and I hope that it will be adopted and the information made public at the earliest practicable moment. I do believe, however, that we ought to give unanimous consent to the amendment suggested by the gentleman from Massachusetts [Mr. LOVERING], or in some way accomplish the purpose of his amendment—that is, provide that at an hour fixed the Director of the Census shall give out this information in the same manner that he has heretofore given out the ginner's report. If that is done, no criticism can be directed against any person that the information has been given out prematurely or in an unusual manner.

Mr. CRUMPACKER. Mr. Speaker, I now yield two minutes to the gentleman from South Carolina [Mr. ELLERBE].

Mr. ELLERBE. Mr. Speaker, I want to say that to every ginner in the entire cotton belt was sent a card. On that card the ginner was asked to state not only how many bales of cotton he had ginned up to the evening of the 15th, but "How many bales of cotton do you estimate your establishment will gin during the remainder of the cotton season?" These cards were sent to every ginner in the 812 counties throughout the cotton-growing section. These cards came in, and that information is in the hands of the Census Department.

Now, what is the question? The estimates vary from 100,000 bales to 1,000,000 bales, and the speculator is going to have an estimate if he has to make it himself. Now, these men, three or five, have this information, and I stand up and say it would be in the interest of the Census Department to let that information go out.

Already I have heard rumors and whisperings that the information has leaked, and when I say that men would give millions of dollars for the information, I say we owe it to ourselves, to the cotton spinner, and we owe it to the Census Department to bring that information out at the earliest possible moment. [Applause.]

Mr. CRUMPACKER. Mr. Speaker, I demand the previous question on the resolution.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on agreeing to the committee amendments.

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

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken, and the resolution as amended was agreed to.

On motion of Mr. CRUMPACKER, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1310. An act granting an increase of pension to Charles S. M. Hooton;

S. 1269. An act granting an increase of pension to Charles E. Smith;

S. 1239. An act granting an increase of pension to Joseph G. McGarvey;

S. 1214. An act granting an increase of pension to Charles W. Oleson;

S. 1747. An act to authorize the Mobile Railway and Dock Company to construct and maintain a bridge or viaduct across the water between the end of Cedar Point and Dauphin Island;

S. 979. An act to amend an act entitled "An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.;"

S. 1238. An act granting an increase of pension to John Christoff;

S. 312. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak.;

S. 2143. An act granting an increase of pension to Angelina Hernandez;

S. 2082. An act granting an increase of pension to Elizabeth T. Carpenter;

S. 1888. An act granting an increase of pension to George W. Patton;

S. 1872. An act granting an increase of pension to Rebecca A. White;

S. 1826. An act granting an increase of pension to Rufus H. Paine;

S. 1737. An act granting an increase of pension to Helen M. Blanchard;

S. 1431. An act granting an increase of pension to William W. Lane;

S. 1408. An act granting an increase of pension to Julia W. Estes;

S. 1359. An act granting an increase of pension to Jeremiah Ingalls, alias Jeremiah Boss;

S. 1505. An act granting an increase of pension to Uriah D. Barrett;

S. 1342. An act granting an increase of pension to Morton M. Noah;

S. 1201. An act granting an increase of pension to Sarah A. Preston;

S. 944. An act granting an increase of pension to Robert F. Catterson;

S. 1164. An act granting an increase of pension to Henry E. Bedell;

S. 1040. An act granting an increase of pension to James Sloan;

S. 1036. An act granting an increase of pension to William C. Beachey;

S. 974. An act granting an increase of pension to David L. Wright;

S. 1341. An act granting an increase of pension to Fred Preisinger; and

S. 1340. An act granting an increase of pension to John Leavitt.

Mr. WACHTER, 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. 12314. An act to amend an act approved February 3, 1905, authorizing the construction of a bridge across Red River at Shreveport, La.; and

H. R. 297. An act to authorize the construction of dams and power stations on the Tennessee River at Muscle Shoals, Alabama.

CONTESTED-ELECTION CASE—COUDREY AGAINST WOOD.

Mr. OLMSTED. Mr. Speaker, by direction of Committee on Elections No. 2, I present the following privileged report and ask for the present consideration of the resolution.

The Clerk read the resolution, as follows:

Whereas in the contested-election case of Coudrey v. Wood, from the Twelfth Congressional district of Missouri, which was referred to the Committee on Elections No. 2, a motion has been made to suppress the testimony of contestant on the ground, among others, that as forwarded to the Clerk of the House and printed it is not the testimony as given by the witnesses, but has been materially altered by leaving out certain parts thereof and by adding to and changing other parts, so as to completely destroy the integrity of said testimony; and

Whereas, owing to the conflicting statements contained in ex parte affidavits filed in support of and in opposition to said motion, it is impossible to ascertain the truth of the matter: Therefore, be it

Resolved by the House of Representatives, That Committee on Elec-

tions No. 2 shall be, and is hereby, authorized and empowered to take such testimony as it shall deem necessary to the determination of questions of fact in the contested-election case of Coudrey v. Wood, from the Twelfth district of Missouri, and shall have power to send for all such persons and papers as it may find necessary for the proper determination of said controversy, and determine the time, place, and manner of taking said testimony, which may be taken before the said committee or any subcommittee or any person selected by said committee for such purpose, and that the expenses incurred in taking said testimony shall be paid from the contingent fund of the House upon the order of said Committee on Elections No. 2.

Mr. OLMSTED. Mr. Speaker, the testimony in this case, as printed in a volume of 1,409 pages, has been submitted by the Clerk of the House to the committee, and also the originals from which the said publication was made. Upon the face of these papers the testimony appears to have been regularly taken, signed by the witnesses, and certified by the notaries public before whom it was taken, and to be regular in every respect. But the contestee has submitted a motion to suppress all the contestant's testimony for various reasons, most of which are technical, but one of which seems to the committee to be of importance, namely: That the testimony as returned to Washington and printed by the Clerk is not the testimony given by the witnesses, but that the same has been altered, some parts omitted, some things added, and some portions changed. There have been submitted ex parte affidavits of two stenographers who took the testimony, who state that under instructions of a certain gentleman they changed certain portions of the testimony. That gentleman makes affidavit denying their statements. The affidavits of ten witnesses were filed to the effect that when upon the witness stand they were cross-examined, but no cross-examination appears in the report of their testimony. Against that there is the affidavit of a female stenographer, who says that under the direction of the contestee she prepared a uniform style of affidavit—blank forms—in which these ten are all made, and that the persons who made them received small sums of money for making these affidavits.

That is denied in another affidavit on behalf of the contestee. Other ex parte affidavits of stenographers have been submitted to the effect that the contestee offered the affiants money to make false affidavits to the effect that the testimony as taken down by them had been changed. On the other hand, there are affidavits to the effect that the stenographers who made those affidavits offered to make affidavits on behalf of contestee, but demanded money for so doing. There is some testimony tending to show that the contestee brought suit against certain persons for the purpose of coercing them and getting them to make affidavits; and one lady says, to use her own language, "He frightened me to death," after which she made an affidavit. There is also the testimony of one stenographer that under instructions he changed in various respects answers from "no" to "yes" in material parts of the testimony.

To make a long story short, these ex parte affidavits are so utterly conflicting in their character that it is impossible from them to ascertain the truth of the matter, and believing it important that the question of the integrity of this testimony shall at the outset be determined, the committee has unanimously agreed to recommend the adoption of the resolution which has been read from the Clerk's desk.

The resolution was agreed to.

PRESERVATION OF NIAGARA FALLS.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 83, for a report, and so forth, upon the preservation of Niagara Falls.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the following House joint resolution, which the Clerk will report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was read, as follows:

Resolved, etc. That the members representing the United States upon the International Commission created by section 4 of the river and harbor act of June 30, 1902, be requested to report to Congress at an early day what action is, in their judgment, necessary and practicable to prevent the further depletion of water flowing over Niagara Falls; and the said members are also requested and directed to act, in conjunction with the members of said Commission representing the Dominion of Canada, if practicable, all possible efforts for the preservation of the said Niagara Falls in their natural condition.

Mr. BURTON of Ohio. I move the adoption of the resolution. The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BURTON of Ohio, a motion to reconsider the last vote was laid on the table.

CHESAPEAKE AND DELAWARE CANAL.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent for a change of reference of a memorial from the American Association of the Masters, Mates, and Pilots of Steam Vessels, asking for the passage of the joint resolution authorizing the President to appoint a commission to appraise the Chesapeake and Delaware Canal, and for other purposes, which was referred to the Committee on Rivers and Harbors. It pertains to the Chesapeake and Delaware Canal, and should go to the Committee on Railways and Canals. I ask unanimous consent that that change of reference be made.

The SPEAKER. This being a private memorial, ordinarily would be, and can, in this instance, under the rule, be indorsed by the gentleman from Ohio as chairman of his committee, and referred as the committee designated, through the basket. It need not come before the House, although, as it is before the House, there is no objection to doing it by unanimous consent.

Mr. BURTON of Ohio. I ask unanimous consent that it be referred to the Committee on Railways and Canals.

The SPEAKER. Is there objection?

There was no objection.

REPRINT OF BILL H. R. 405.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent for a reprint of the bill H. R. 405. I find that it has been exhausted. Members yesterday were unable to get the bill from the document room.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

MEETING AT 11 O'CLOCK.

Mr. HEPBURN. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 12987, the railroad-rate bill, and, pending that motion, I ask unanimous consent that the sessions of the House during the continuance of the present special order may begin at 11 o'clock a. m.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the sessions of the House during the continuance of the present special order shall begin at 11 o'clock a. m.

Mr. WILLIAMS. An inquiry of the gentleman from Iowa. Does the gentleman intend that to apply to the time consumed in general debate or to the five-minute rule as well? Will the House meet at 11 o'clock not only during the continuance of the general debate, but also during the reading of the bill under the five-minute rule?

Mr. HEPBURN. The request was during the continuance of the special order.

Mr. WILLIAMS. That includes the five-minute rule?

Mr. HEPBURN. That would include the five-minute rule.

Mr. ADAMSON. Mr. Speaker, would the gentleman be willing to modify that and say during general debate?

Mr. HEPBURN. If there is any preference for that, I will modify the request to that extent.

Mr. WILLIAMS. I ask only for information. I would not object in either event.

Mr. CLARK of Missouri. Mr. Speaker, if he will modify that request so as to take up that debate immediately after the reading of the Journal, I would not have any objection, but it would compel people to come here who might not want to come and might have something else to do, in committees, for instance, that might be running at that hour, and this unanimous-consent business and all that kind of matter, if they come in at 11 o'clock, which would compel people to come here who have something else to do elsewhere, as I say.

Mr. HEPBURN. I suppose that under the order any Member could prevent that unanimous consent, because under the special order this bill is the subject for consideration after the reading of the Journal.

Mr. ADAMSON. Mr. Speaker, I suppose there would be no trouble about finding some one to come here and stand guard for an hour, if it is absolutely necessary.

Mr. CLARK of Missouri. Then I wish the gentleman from Missouri would come over here and do it.

Mr. ADAMSON. I would do it at the special request of any gentleman. I would not want to do it on my own responsibility. Mr. Speaker, I rose to make this suggestion to the gentleman from Iowa [Mr. HEPBURN]: It is suggested by some of my colleagues over here that during the five-minute rule it might not be necessary to meet at 11 o'clock and that we apply this 11 o'clock meeting only to general debate. I think it is necessary to do that or we will never get through, with the number of requests we have for time.

Mr. HEPBURN. Mr. Speaker, I will yield again to the gentleman and modify my request so as to meet his objection.

The SPEAKER. The gentleman from Iowa asks unanimous consent that during general debate upon the bill covered by the special order the House meet at 11 o'clock a. m. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The question now is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12987—the railroad-rate bill.

The motion was agreed to.

Accordingly 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. 12987—the railroad-rate bill—with Mr. VREELAND in the chair.

Mr. HEPBURN. Mr. Chairman, I yield twenty minutes to the gentleman from New York [Mr. KNAPP].

Mr. KNAPP. Mr. Chairman, the importance of this question termed "rate legislation" is recognized and conceded. It constitutes in itself a difficult problem, and while we differ as to what may be wisest and best, nearly all are agreed that the solution should be such as will be effective in correcting existing inequalities and remedying existing evils in transportation rate making. In framing remedial legislation we should recognize the just rights of all—individuals, communities, and corporations. The problem involves the question of transportation, and so its solution directly affects the people and industries of every locality and all sections of the country.

Transportation has passed through repeated stages of advancement, and in each has been an important factor in social, commercial, and industrial development. Leading in this advancement in transportation has been the United States. In no other nation beneath the sun has its development been so rapid, its influences so great, and its resultant problems so important. The railway branch of transportation, with which this proposed legislation especially deals, has developed until the total railway mileage of the United States aggregates, in round numbers, about 215,000 miles, a mileage nearly equaling that of one-half of the railway systems of the world. These railways number 2,104, and the total cost of their construction was, in round numbers, about twelve and one-half billions of dollars. Their total gross earnings for the year ending June 30, 1905, amounted, in round numbers, to \$2,073,000,000. The total operating expenses during the same period of time aggregated \$1,383,000,000. The number of passengers reported as carried for the fiscal year ending June 30, 1904, was 715,419,682; the number of tons of freight reported as carried during the same period was 1,309,809,165. These statistics suffice to well illustrate the commanding importance of our railway systems.

But more than keeping pace and commensurate with this has been our commercial and industrial development, evidenced in varied and unrivaled industries and emphasized in a foreign trade aggregating in value \$2,455,000,000, and, of still more significance, in an internal trade and commerce aggregating in value \$22,000,000,000—a sum equal to the total value of the combined international commerce of the world. Evidenced in nearly every locality and on nearly every hand is this wonderful industrial progress, alike the pride of our own and the marvel of the nations of the world.

That railway transportation has been one of the most important factors in this development must be justly conceded. That American railways which span the continent and vein the country are unrivaled in the railway world is also our just pride. But all of this does not destroy the fact that these corporations, by virtue of charter rights and also their relationship to commerce and the public, should be so managed or regulated that they do not oppress but serve the best interests of the people. The very fact that the relationship which exists between railway transportation and the people is, and of necessity must be, interdependent justifies the Congress in so regulating the one that it shall fairly serve the other; in other words, justifies Congress in so regulating or in so providing for the regulation of transportation rates that they shall be equally just to all localities and equally fair to all shippers; in still other and better terms, justifies Congress in so legislating that, in the words of the President, the "highways of commerce may be kept open to all on equal terms."

THE QUESTION IMPORTANT, BUT NOT NEW.

Neither illustration nor argument is needed to emphasize the importance of the pending legislation. It is concededly one of the most important measures which will be submitted to Congress for consideration and action. If proof of this were needed, it could be found in the brief but convincing statement that authentic reports place the total value of the farm products of the United States for the past year at, in round numbers, \$6,000,000,000; that of the manufacturing products for

the same period at, in round numbers, \$13,000,000,000. Transportation is the medium by which these products are conveyed to markets, and whatever affects the rate of transportation necessarily affects all connected with or dependent upon these industries; but it is none the less important to other and varied industries. In short, it involves the rights and affects the interests of individuals and corporations, of shippers and common carriers, of producers and consumers of every locality.

The contention that this is a new departure in legislation or that Government regulation of railways is an untried experiment of doubtful constitutional right is not well founded. This question is one which has been agitated, discussed, investigated, and legislated upon for the past twenty-five years. During that period of time it has been the subject of investigation and of legislative action by State legislatures and Congress, and, as a result, thirty-one States of the Union have passed laws or created commissions for the purpose of regulating railway transportation rates. These commissions have been clothed with varied powers, from those of investigation and recommendation to the authority to establish transportation rates or charges. Two-thirds of these States have delegated to commissions so created the authority to regulate and establish transportation rates or charges, and the right to delegate such power has not been successfully questioned, but repeatedly confirmed by judicial tribunals. These commissions, however, have possessed that authority only so far as State commerce is concerned, or commerce conveyed between State boundaries, which aggregates only about 30 per cent of the total commerce transported by railways. The remaining 70 per cent so transported is interstate commerce, or commerce passing State boundaries, and so far as legislative control is concerned is under the jurisdiction of the General Government.

Congress has, by repeated legislative enactment, sought to keep these highways of interstate commerce open to all on equal terms. Nineteen years ago, or in 1887, Congress passed the so-called "interstate-commerce law." That law created a commission and vested it with certain powers. As to this law, the Commission, and its work, I will refer more at length hereafter. Suffice it to say that law was, in its main provisions, an initial act in Government regulation of railways engaged in interstate commerce and was intended to be a remedy for existing inequalities in transportation rates and charges.

Later, and in 1898, the importance of this question was recognized by Congress in the appointment of an industrial commission composed of members of both Houses, one of the main duties of which was to inquire into the question of railway transportation rates or charges, and with which subject its report extensively dealt. Still later, in 1903, Congress enacted what is known as the "Elkins law," a much-needed law, aimed at the system of rebates and intended to prevent the granting of such rebates in any form, and still later, at the last session of Congress, legislation upon this subject was attempted by the passage in the House of the so-called "Esch-Townsend bill," conferring added powers upon the Interstate Commerce Commission, and in its provisions much akin to the measure now before us.

These and other illustrations which might be cited are convincing of the fact that for more than a quarter of a century the importance of the question of Government regulation of railway transportation has engrossed the thought and discussion of the people and been the subject of legislative enactment both by the State legislatures and the National Congress.

LEGISLATION NECESSARY.

That added legislation on this subject is necessary is virtually conceded. Differences of opinion as to form and conditions of enactment may exist, but that some legislation which will be remedial in its resultant effects should be enacted nearly all agree. By individual petition, and through organizations and legislative bodies, the people are still making known their wish and will. This is not a mistaken public sentiment. It is founded in and based upon conditions which have too long existed, and which call for some measure that will give effective relief.

But while this is true, no legislation is demanded or asked for that will jeopardize any legitimate interest. None is demanded, or should be enacted, the tendency of which would be to foster one and break down another industry. That would be only to aggravate existing evils. In framing a remedial law we need not proceed upon the theory that everything is wrong, and all must be righted; neither upon the theory that the interests of the shipper and carrier are irrevocably antagonistic, but rather may we proceed upon the conviction that the rights and the interests of the shipper and carrier are, in the true sense, in the common. Legislation which recognizes this as a basic principle,

and which at the same time provides that common carriers shall give fair and uniform treatment to all shippers, will be most effective in regulating existing wrongs.

The causes which render necessary the pending legislation are too patent to admit of denial or serious question. Time is not mine, neither is it necessary, to discuss them in detail. They are in the main familiar to all. They may largely be grouped under one head, or, as has been correctly stated, described in one word, namely, "discriminations." That is the one prime evil in rate making. It is against that as well as excessive rates that the shipper and the public justly protest. It is to prevent that as well as excessive rates that legislation has been and should be enacted. With the evil of discrimination eliminated, the problem of rate making would be well on the way to satisfactory solution. Discrimination in freight rates is not only wrong in principle and far-reaching in ill effects, but added to this its resultant burdens in the main fall just where they should not and upon those least able to bear them, namely, the individual and the smaller shipper. The farmer or manufacturer who ships to market only the products of his own industry has the right to know that he receives from the common carrier the same treatment as do his fellow-shippers. Transportation rates are important factors, not only in determining markets and fixing prices, but also in measuring profits, and the smaller shipper, be he individual or corporation, has the right to demand that his more affluent or powerful competitor does not receive a preferential rate, which works injury and perhaps ruin to his own industry. This is a right guaranteed to him both by common and statutory law. Granting to one shipper a preferential rate over another for a like service rendered is in violation of a well-established common-law rule and also repeated statutory enactments.

Discriminations may be of so varied a kind that it is impossible to detail them. They may, however, in the main, be collectively grouped as those between individuals, corporations, and localities. Perhaps those which are most widely practiced, most injurious in their results, and most justly complained of are embraced in what is known as the "system of rebates," a system under which shippers are charged published or uniform rates and rebates allowed back to some, resulting in widespread discrimination, and under which it is charged that large corporations and corporate combinations have not only reaped fabulous profits, but have been enabled to cripple and drive out of business competing industries. Akin to this is the so-called "private car system," a system by which private or corporate car companies owning their own cars obtain discriminating rates of transportation, and also the private terminal system, under which companies or corporation utilize branch or yard tracks for the purpose of organizing railway companies, and thereby obtain from the railroads a discrimination in rates for transporting the output of their industries.

These illustrations suffice to show how and to what extent discriminations have been practiced, not all of which, however, it is just to say, have been invited by the railways. Laws have been enacted the intent and purpose of which were to eliminate these evils and to prevent the entire rebate system. This was the special purpose of the so-called "Elkins law," passed by Congress in 1903. That law, while not in detail or form, was, nevertheless, in fact an amendment, and the first important amendment, to the interstate-commerce law under which it had been mistakenly assumed discriminations could be effectively prevented. The Elkins law, which was stringent in its terms and which, as has been stated, was especially aimed at the rebate system, made it unlawful "for any person, persons, or corporations to offer, grant, or to give or to solicit, accept, or receive any rebate, concession, or discrimination in respect of transportation of any interstate or foreign commerce by common carriers."

Results for a time seemed to establish the efficacy of that law, but recent developments, including numerous indictments for granting and receiving rebates, demonstrate that the law has not been wholly preventative, and that discriminations in transportation rates and rebates are yet practiced. The law, valuable to a certain extent for the purpose for which it was more especially enacted, failed in important particulars to either amend or supplement the interstate-commerce law. It made the schedule of transportation rates as published and filed the standard, and provided a remedy which, if enforced, would correct deviations from such rates, but failed to delegate to the Interstate Commerce Commission, or to any legal regulating body, the right or authority to supervise or correct a schedule of transportation rates, or a rate which might be unjust, or the practice of which might result in discrimination. And it is to accomplish such a purpose and delegate such right and authority that alike injustice to and in the best interests of both shipper

and common carrier the pending measure providing for reasonable Government regulation is made necessary.

Discriminations in transportation rates, whether by rebates, private-car systems, terminal facilities, or in any other manner, should be effectively abolished and uniform rates, equally just to all, should be effectively established.

Well and correctly did the gentleman from Iowa [Mr. HEBURN], in his masterly discussion of this question in the second session of the last Congress, say:

The law says that the rates of the carrier must be reasonable. The law says that they must not indulge in any kind of discrimination. The law says that they shall not give preference to any shipper. The law says that they shall not charge more for a short haul than for a long one, if it is included in the same distance and under the same circumstances. The law says that they shall not engage in any device, in any practice, in any means of that kind where equal opportunity is not given to all. That is the law. Obedience to that law would have satisfied the whole people.

Words could not better express both the intended purpose of existing law and the necessity for added enactment than those of the distinguished gentleman whose name this proposed legislation bears. True, there are laws upon the statute books; true, those laws have not been obeyed, and one of the reasons for this has been that those laws have not provided a procedure by which obedience to their provisions may be made speedy and certain.

CONGRESS HAS POWER TO ENACT NEEDED LEGISLATION.

That Congress has power over interstate commerce is conceded. That its power to regulate the transportation rates or charges of carriers engaged in such commerce is unquestioned. The Constitution vests in Congress certain powers, among them:

To regulate commerce with foreign nations and among the several States and with the Indian tribes. (Constitution of United States, sec. 8, clause 3, Art. I.)

The power thus vested is broad and comprehensive, and is not subject to any limitation which deprives Congress of the right to regulate transportation rates of railways engaged in interstate commerce. The wisdom of this provision of the Constitution becomes apparent in view of the fact, as before stated, that of the commerce of the United States by far the larger portion—over 70 per cent—is interstate and not subject to State supervision, but the sole legislative control of which is vested in the General Government. Under that provision of the Constitution Congress has heretofore legislated on this subject of Government control or regulation of railways engaged in interstate commerce, and the power to so legislate can not be successfully questioned. Further than this, judicial decisions are uniform to the effect that the making and fixing of rates being a legislative and not a judicial function the legislative body—the Congress—may by direct legislative enactment fix the future maximum rate of a common carrier or establish a standard of rates and delegate to a commission, duly constituted, the authority to administer or carry into effect such enactment; in either case, however, subject to review by the courts as to whether such rate or schedule of rates is in violation of the provisions of the Constitution which prohibit the taking of property without due process of law. Numerous decisions might be quoted to this effect, but as confirmatory of this power we have the opinion of the present distinguished and able Attorney-General, rendered by him in May last. In that opinion the Attorney-General says:

There is a governmental power to fix the maximum future charges of carriers by railroad vested in the legislatures of the States with regard to transportation exclusively within the States and vested in Congress with regard to all other transportation.

Although legislative power, properly speaking, can not be delegated, the law-making body having enacted into law the standard of charges which shall control, may intrust to an administrative body not exercising in the true sense judicial power the duty to fix rates in conformity with that standard.

The rate-making power is not a judicial function and can not be conferred constitutionally upon the courts of the United States, either by way of original or appellate jurisdiction.

The courts, however, have the power to investigate any rate or rates fixed by legislative authority and to determine whether they are such as would be confiscatory of the property of the carrier, and if they are judicially found to be confiscatory in their effect to restrain their enforcement.

Reasonable, just, and impartial rates determined by legislative authority are not within the prohibition of article 1, section 9, paragraph 6, of the Constitution, even though they result in a varying charge per ton per mile to and from the ports of the different States.

This opinion may be accepted as a correct interpretation of the law, and conclusive as to the power of Congress to enact necessary legislation.

THE PENDING MEASURE.

The importance of this question being conceded, the necessity for added legislation on this subject being established, and the power of Congress to enact such legislation being unquestioned, we come to the added and important question, Does the bill before the House now being considered meet the requirements and provide the remedy by which transportation rates of common carriers engaged in interstate commerce may be made

both reasonable and uniform? I believe it does, and so believing give to it my unqualified support. The pending measure is, as it is entitled, "A bill to amend an act entitled 'An act to regulate commerce, approved February 4, 1887,'" etc. In other words, it is an amendment to the original interstate-commerce law which created the Interstate Commerce Commission and clothed the same with certain powers.

It is not my purpose to consume the time of the House with lengthy discussion of this bill, but rather to call attention to and briefly discuss some of its most important provisions. Among these, and of special importance, is the provision contained in section 4, amendatory of section 15 of the original interstate-commerce act, as follows:

SEC. 4. That section 15 of said act be amended so as to read as follows:

"SEC. 15. That the Commission is authorized and empowered, and it shall be its duty, whenever, after full hearing upon a complaint made as provided in section 13 of this act, or upon complaint of any common carrier, it shall be of the opinion that any of the rates, or charges whatsoever, demanded, charged, or collected by any common carrier or carriers, subject to the provisions of this act, for the transportation of persons or property as defined in the first section of this act, or that any regulations or practices whatsoever of such carrier or carriers affecting such rates, are unjust or unreasonable, or unjustly discriminatory, or unduly preferential or prejudicial, or otherwise in violation of any of the provisions of this act, to determine and prescribe what will, in its judgment, be the just and reasonable and fairly remunerative rate or rates, charge or charges, to be thereafter observed in such case as the maximum to be charged and what regulation or practice in respect to such transportation is just, fair, and reasonable to be thereafter followed; and to make an order that the carrier shall cease and desist from such violation, to the extent to which the Commission find the same to exist, and shall not thereafter publish, demand, or collect any rate or charge for such transportation in excess of the maximum rate or charge so prescribed, and shall conform to the regulation or practice so prescribed. Such order shall go into effect thirty days after notice to the carrier and shall remain in force and be observed by the carrier, unless the same shall be suspended or modified or set aside by the Commission or be suspended or set aside by a court of competent jurisdiction."

Section 13, referred to in the above amendment, is the section which authorizes the shipper, who may feel aggrieved at a rate imposed by the carrier, to make complaint to the Commission and empowers the Commission to investigate the question of the reasonableness of the rate so complained of. And right here is not only one of the most important provisions of this bill, but one of the most sure protection to the shipper and the public. Under this amendment the Commission has not only the authority heretofore conceded to entertain the complaint of the shipper and make investigation, but also the added authority to determine what shall be a reasonable and fairly remunerative maximum rate or charge for the future, and to issue an order making such rate or charge effective, and providing penalties for noncompliance with such order on the part of the railways or common carrier.

During the nearly nineteen years that the Interstate Commerce Commission has been in existence, more than 4,000 complaints against common carriers have been lodged with the Commission. These complaints, and the issues involved in them, have been disposed of in various ways; some by dismissal, some by adjustment with the railways, some by hearings had and by decisions of the Commission, etc. That the law has been productive of good, and that the Commission has with signal industry, fidelity, and ability executed its trust and served the public welfare can not be successfully questioned.

But during all this time the law has been defective. For ten years the Commission was supposed to have the authority to declare, after full hearing and investigation, what a reasonable rate or charge should be for the future, but when the celebrated Maximum Rate Case was decided, and it was held by the highest judicial tribunal that the Commission had no power to fix a maximum future rate, then the Commission became powerless as a regulator of freight rates. Many of the decisions of the Commission have been reversed by the courts, not on the question of fact presented, but because of its not having the authority, under the law, to make the order which it did make, so that if criticisms have been made against the Commission, and they have, they have been criticisms for not doing what the law gave them no authority to do. There have been criticisms for not doing an impossibility. There have been criticisms which should have been lodged against the law and not the Commission. As it is now, the Commission can say that a rate is unreasonable, but it can not say what the reasonable rate shall be.

This amendment corrects that fatal defect in the original law and clothes the Commission with authority not only to investigate the complaint of the shipper, but, if the rate so complained of is found to be unreasonable, then to say what shall be a reasonable and fairly remunerative maximum rate or charge for the future, and also to make an order requiring the railway or common carrier to make such rate operative

within thirty days from the date of the order, thus giving immediate relief to the shipper.

This provision, which authorizes the Commission to make its findings effective by an order, and limiting the time when such order shall become effective to thirty days from the date of its issue, is an important factor in this legislation. Heretofore the burden has been upon the shipper, and he has had to wait in many cases from three to five years before he obtained justice, if at all, and pending review and decision by the courts. But by virtue of this amendatory provision the shipper receives immediate relief to the extent ordered by the Commission, pending an appeal that may be taken to or a review that may be made by the courts. All of this is alike just and safe for both the carrier and the shipper, for it does not deny the right of appeal to the courts. That right continues, and the courts have the power to pass upon the question as to whether the Commission has in a legal manner exercised the authority delegated to it by Congress.

Opposition to this provision on the ground that it is legislation in violation of private or corporate rights—that it takes from the railways the right to manage their own business—is without any real foundation in fact. It does not deprive railway officials of the right to make schedules of transportation rates or charges. It leaves that initial right just where it is now, with the railway officials, and it confirms that right by providing that they shall make and publish schedules of transportation rates and charges, and such schedules shall not be changed except upon thirty days' notice. If such schedules are made reasonable, uniform, and in compliance with law, they have then nothing to fear from this legislation. It does not deprive them of the initial right to make a schedule of rates or charges, but it does, and should, deprive them of the power to make such rates or charges unreasonable or in violation of law. It does, and should, deprive them of the power to make one schedule of rates for some shippers and localities and a different schedule for other shippers and localities for equal service rendered. It does, and should, deprive them of the power to practice discriminations, whether by direct rebates, or by private terminals, or in any other manner.

The purpose of this legislation is not to make and fix specific transportation rates or charges, but to enact a law and establish a procedure whereby such rates or charges shall be reasonable and uniform to all shippers and all localities.

Another important provision of the pending measure is that contained in section 7, amendatory of section 20 of the original act, which amendment authorizes the Interstate Commerce Commission to require—

Annual reports from all common carriers subject to the provisions of this act, and from the owners of all railroads engaged in interstate commerce. * * * To prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amount paid therefor, and the manner of payment for the same; the dividends paid, the surplus funds, if any, and the number of stockholders; the funded and floating debts, and the interest paid thereon; the cost and value of the carrier's property, franchises, equipment, etc.

This provision is important not only for the purpose of placing before the Commission needed information on which to base intelligent action in regulating transportation rates, but also as it may tend to remove what is one of the greatest obstacles to determining actual reasonable transportation rates or charges, namely, overcapitalization.

It has been stated that rate making is the most complicated and difficult work connected with transportation. Doubtless that has been correctly stated, but whether so or not, it certainly is one of the most important. The contention that competition is a regulator of freight rates is not, in the main, tenable. That, by reason of combinations, has gradually ceased to be a controlling factor, and can not now, except in limited and exceptional cases, be depended upon, as controlling in regulating rates.

But whatever may be the difficulties connected with rate making, and wherever may be lodged the power to fix rates, one rule governs—transportation rates should be both reasonable and uniform. It has been uniformly held by the courts and higher judicial tribunals, as interpreting both the common and the statutory law, that transportation rates or charges that affect both the shipper and the carrier should be "reasonable," and "reasonableness" as applied to the schedule of rates or charges has been held to be such rates or charges as are just and will, in the aggregate, yield to the carrier the actual cost of transportation and a reasonable income on the capital invested by the carrier. But this does not mean income on fictitious capital, or overcapitalization. And right here, in overcapitalization, centers one of the greatest obstacles to a satisfactory solution of this problem of rate making.

The tendency in recent years to overcapitalization on the part

of many corporations has been pronounced. This get-rich-quick policy has worked and is working an injury not only to the public, but also to corporations as a whole. It has made the people distrustful of corporate influences and doubtful as to corporate securities. But overcapitalization on the part of railways, when practiced, works a double injury to the public. It places in the market stocks of little or doubtful value to be, as has been said, "digested by the public," and at the same time invites corporate officials to establish transportation rates which will yield at least temporary dividends upon such comparatively worthless securities. This is a wrong which should be righted, both for the protection of the people and also for corporations not overcapitalized. It was with that question that the Fifty-seventh Congress attempted to deal when it created the new Department of Commerce and Labor and gave to the Secretary of that Department the right to require reports from corporations of actual assets, capitalization, income, etc.

More explicit and far-reaching, however, is this provision, providing as it does for annual reports, under oath, and incorporating in those reports all the information necessary to the Commission on which to base intelligent action in determining the reasonableness of rates, including the question of capitalization, thus effectively providing for that publicity on which at least may be based not only intelligent action as to the reasonableness of the rate complained of, but a remedy for overcapitalization. Power should be lodged in some commission or some legally constituted body to require capitalization to be based upon actual assets. The enforcement of the above-quoted provision of this law will certainly give to the Commission the power to consider the question of capitalization as affecting the reasonableness of the rates complained of, and will, at least to that extent, correct the evil of overcapitalization; and if to entirely eliminate this evil, as it should be, a still more effective remedy must be provided, this provision will at the very least furnish a basis for intelligently establishing such remedy.

Other provisions of this bill, including that of requiring common carriers to print and keep open to public inspection schedules showing rates and fares charged for transportation of passengers and property; that which makes it unlawful for such common carriers to charge, demand, collect, or receive from any person or persons a greater or less compensation for the transportation of passengers or property than is specified in said published schedule of rates or charges; that which provides penalties and the means for their enforcement for a non-compliance with the orders of the Commission and requirements of the law on the part of the carrier, and also that which increases the number of the Commission from five to seven, and provides that no more than four shall be appointed from the same political party—a most important provision as to number and nonpartisanship—all are important, all in keeping with the purpose of this legislation and for the safeguarding of the vast interests to be affected, protected, and benefited by this proposed enactment.

But it is contended by those who oppose this legislation that the pending measure confers great power on the Interstate Commerce Commission, and therefore it is dangerous and should not become a law. That contention is partly right and partly wrong. That it confers great power on the Interstate Commerce Commission is correct, but that it is dangerous and should not become a law is not correct. This proposed measure does confer great power on that Commission, and that is one of the very purposes of the measure and one of the very reasons why it should be enacted into law. Great power must be lodged somewhere if legislation on this subject is to be effective for remedying existing evils. Where can that power be better lodged or that authority more safely bestowed than upon an Interstate Commerce Commission appointed by the President and confirmed by the Senate? The President can be trusted to name, and the Senate to confirm, men who, by character and ability, are worthy the trust imposed in them. The great public, whose interest is affected by this legislation, is not afraid to trust with such authority a Commission so appointed. And, besides, is it not as safe to trust this power and authority with a disinterested, nonpartisan Commission as to leave it where it now largely is—with interested corporation officials? Is it not as safe to delegate this power to an impartial Commission as it is to have one-half of the railway mileage of this nation controlled, as it is authoritatively reported it is controlled, by five interested men? If there is a monopoly of power connected with this subject, I submit it is not that conferred by this measure upon the Interstate Commerce Commission.

To base opposition to this legislation on refusal to delegate requisite authority to a responsible Commission is only to invite the continuance of existing evils and to admit an inability to remedy them. This power, great though it may be, must, as

above stated, if remedial legislation is to be enacted, be lodged in some representative body, and I believe it can be safely delegated to the Interstate Commerce Commission and with a confident assurance that it will be exercised in a manner just alike to individuals, communities, and corporations, and in a way that will be satisfactory to a justly exacting public.

GOVERNMENT CONTROL JUSTIFIED.

Extended argument is not needed to justify Government control of railways engaged in interstate commerce. The very fact that this subject, for the past quarter of a century, has engrossed the thought and discussion of the public and been the subject of repeated legislation on the part of State legislatures and the National Congress, invites the belief and warrants the assertion that Government control is both justified and necessary. The authority for such control is clear and the right to exercise such authority is equally apparent. The objection to Government control in regulating transportation rates that, if carried to its legitimate conclusion, would apply to all business enterprises, is not tenable. Such contention utterly fails to distinguish between private and corporate enterprises, between enterprises of a private nature and those that are public and receive their charter rights from the people, which give them existence and which make them, of right, amenable to the people. Government control is not an attempt to confiscate property rights, neither is it a step toward the mistaken socialistic idea of Government ownership. It is simply the exercise of a right and effort by the legislative body, delegated to it by the Constitution.

The framers of the Constitution, with unerring statesmanship, foresaw the certainty of increasing and expanding commerce, and, with equal foresight, delegated the right to regulate such commerce, so far as it was interstate, to the National Congress. As railways receive their charter rights for State commerce from State legislatures, so they receive, so to speak, their charter rights for interstate commerce from the National Legislature. Government supervision is not an unwarranted interference with private rights, but a justifiable protection of public interests. Keeping pace with our rapidly increasing railway systems and our wonderful industrial and commercial development, has been the increasing necessity both in the true interests of the public and the railways, for Government control.

The President in repeated messages to Congress has ably and urgently recommended the necessity for a reasonable Government control of railways engaged in interstate commerce. In his message to the Fifty-seventh Congress he said:

The railway is a public servant. Its rates should be just to and open to all shippers alike. The Government should see to it that within its jurisdiction this is so, and should provide a speedy, inexpensive, and effective remedy to that end.

Again, in his message to the second session of the Fifty-eighth Congress, he said:

The Government must, in increasing degree, supervise and regulate the workings of the railways engaged in interstate commerce, and such increased supervision is the only alternative between an increase of the present evils on the one hand and still more radical failure on the other.

And still again, in his message to the present Congress, he added:

It is in the interest of the best type of railway man and the best type of shipper no less than that of the public that there should be Government supervision and regulation of these great business operations. * * * All such legislation frees the corporation that wishes to do well from being driven into doing ill in order to compete with its rivals which prefer to do ill.

These and added utterances of the President favoring Government control of railways engaged in interstate commerce have not only voiced the well-settled convictions of the people, but also invited the cordial approval of some of the most progressive railway officials, who recognize the rights of the people and their contention that Government supervision is reasonable and just.

To assume that this is class legislation, or that it has its inception in hostility to railways, or that it is inspired by prejudice against wealth is alike without foundation and unworthy of serious contention. To assume that such was the motive which prompted and such the purpose of this legislation would be to question the fair-mindedness of the American people and impeach the worthiness of their representatives. This is not, never should be, and never will be a nation of classes. Whether we be rich or poor, whether we live in a palace or a cabin, the way to advancement is open to all. It is in the character, not the fortunes, which men build that they are correctly measured, and he who makes advancement by industrious effort, honest methods, and just regard for the rights of others merits not censure, but commendation.

As with individuals, so with corporations legitimately organized and conducted with a due regard for individual rights

and the public welfare. In the progress of our industrial development and the evolution of our business methods corporations and business combinations are recognized as necessary, and are not to be inveighed against simply because they are corporations. Corporations or business combinations which have for their purpose legitimate trade and commerce are not to be condemned, but corporations or combinations which have for their purpose the securing of profits by limiting production, destroying competition, and controlling prices, these are a menace to the public welfare and should be regulated and controlled, and, so far as governments, State or National, have authority, they should exercise that authority for the due protection and welfare of the public.

A pointed illustration of this was that of the so-called "Northern Securities case," a combination of railways for the purpose of preventing competition in railway transportation rates; and equally illustrative of the right and power of the Government to prevent such combinations was the decision in that case by the United States Supreme Court, the effect of which was to dissolve that combination. That decision, made by the highest judicial tribunal in the land, is a complete answer to those who would question the right or the power of the Government to regulate and prevent corporations or combinations from alike disregarding individual rights and the public welfare. That decision, among the most important ever rendered by the Supreme Court, neither threatened business industry nor prosperity, but was a very safeguard for both. It neither licensed reckless attacks upon corporations nor did it permit far-reaching corporations to make combinations in restraint of trade or interstate commerce. It recognized corporations as a necessity in the development of industrial progress, but maintained and forever established the right of the Federal Government to so regulate combinations as to prevent unjust monopoly. It was a wonderful triumph for law and for the President, who directed Government action.

The pending legislation may not be perfect. It may not meet all the requirements demanded by reason of the relationship which exists between common carriers and the public. We have the experience of two decades of attempted legislation on this question to demonstrate its importance and the difficulty of solving the problems it involves. If defects exist in this proposed law, experience can be relied upon to demonstrate what they are, and future Congresses can be depended upon to add the necessary enactments. To hesitate to enact this law by reason of disappointment heretofore or doubt as to the future, would be to impeach all of the past. The people, through their representatives, have solved one great problem after another, and have solved them right. The problem involved in Government control of railways engaged in interstate commerce will be an added problem solved aright; and the pending measure, if enacted into law, will, I believe, stand the reviewing test of judicial tribunals, receive the indorsement of the great conservative business interests of the nation, and merit the approval of the American people. [Applause.]

Mr. BURKE of South Dakota. Mr. Chairman, in the absence of the chairman of the committee, I yield thirty minutes to the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. ADAMSON. And if the gentleman from Missouri, Mr. Chairman, does not conclude his remarks within thirty minutes, then I yield to him so much of the succeeding thirty minutes as he may require.

[Mr. SHACKLEFORD addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

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

H. R. 11263. An act to authorize the construction of a bridge across the navigable waters of St. Andrews Bay;

H. R. 11045. An act to amend an act entitled "An act to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River in the State of Pennsylvania," approved February 21, 1903; and

H. R. 7085. An act authorizing the Pea River Power Company to erect a dam in Coffee County, Ala.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 538. An act for the relief of Charles T. Rader; and

S. 3318. An act to allow the entry and clearance of vessels at San Luis Obispo, Port Harford, and Monterey, Cal.

The message also announced that the Senate had passed the

following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 4.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to inquire into the advisability of establishing a harbor of refuge by the construction of a breakwater on the island of Nantucket, Massachusetts, at or near the westerly side of Great Point, for the commerce and the lessening of the perils of navigation to coastwise traffic in the adjacent waters.

REGULATION OF RAILROAD RATES.

The committee resumed its session.

Mr. ADAMSON. Mr. Chairman, both the gentleman from Iowa [Mr. HEPBURN], the chairman of the committee, and myself yield to the gentleman from Pennsylvania [Mr. SIBLEY] such time as he may desire.

Mr. SIBLEY. Mr. Chairman, it is not a pleasing position for anyone to occupy who would appear to be in opposition to gentlemen on both sides of this Chamber who, in the ordinary conduct of our national affairs, betray the highest character of wisdom, conservatism, and faithful guardianship of the public interests. One may well doubt his own position when he gets up against the solid mass of that class of matter. None the less, it is the duty of the individual Representative, when he is seized with the conviction that the common weal is imperiled by pending legislation, to have the courage to act out those convictions of individual duty, even if they are not in harmony with those whom he has learned not alone to respect, but to love. One year ago we had before this House a somewhat similar proposition known as the "Esch-Townsend bill." We were urged with speed for the passage of that bill, those opposed to it having less than two hours accorded for the presentation of their views. We were told its immediate passage was demanded for the effect it might have upon the country at large, and especially upon that other body that sits at the other end of the Capitol. Yielding to that public clamor, we passed that measure by practically a unanimous vote, seventeen Members of the House, of which I am proud to say I was one, voting against it.

Less than a year has rolled away, and to-day I make this assertion, and challenge its correctness, that there can not be found in the whole body of this House, outside of the two distinguished gentlemen whose names that bill bore, who would vote for it if it was brought in here at this moment. If one year is sufficient to show you the absolute incorrectness of your position on the other measure, why may we not with confidence hope and believe that if you will take one more year for the consideration of this measure there will not be two found in the House who would vote for this one? Why this unprecedented haste? If war, pestilence, famine, or invasion of our shores were threatened, and the next gale that swept from the North would bring to our ears the clash of resounding arms, then we might have haste and precipitation and then bring pressure upon a dilatory Senate to respond to the will of the people. Two years ago, I think, I might probably have doubted that there could be found upon this side of the Chamber ten men who would have voted for a proposition to take from the business interests of this country the power to fix the price of transportation and confer it upon a body appointed by political power. I doubt if there were ten men who would have voted for such a measure, and yet we have progressed rapidly. This year, with this measure pending, the Republican side seem to have surrendered everything. They gave away, and gave away in order to get a unanimous report from the committee and get for its support the unanimous Democratic side of this Chamber, and so I think our Democratic friends are entitled to a great share of the credit which they claim in bringing this resolution into the House. [Applause.]

Mr. Chairman, I was very much interested yesterday in reading an editorial from one of the ablest Democratic papers in the country, a Democratic paper whose editorial page, I think all men will admit, is as ably edited, as sparkling, bright, and crisp as any of this country, rivaling perhaps the New York Sun in that respect. That is the Washington Post, of this city, a paper owned and controlled in the present day by that light of Democracy, the Hon. John R. McLean, who served as an old-school Democrat, and I want to read to my Democratic friends what Mr. McLean says in this editorial. This is what you will find in that editorial of yesterday morning:

In these days the Democratic banner waves over an eager host of centralizationists. Propositions that tend directly to the extinction of the reserved rights and powers of the States find their most ardent promoters in the party that wears the Democratic name. The most cheerful and hopeful travelers on the road that must, if followed, lead straight on to the commune, to the abolition of the individual and of competition, are shouting Democratic anthems and proclaiming their fidelity to Jefferson and Jackson.

All of which I respectfully submit to my Democratic friends. [Applause.]

Two years ago, or following the strike in the anthracite coal region, Mr. HEARST, a distinguished Member of this House—certainly a distinguished member of your party, whose bill I have heard within the last few moments should have been adopted in the place of all others—declared for the immediate ownership and control of all coal mines. Mr. David Bennett Hill, another distinguished gentleman, who wore a feather on his hat always labeled correctly, declared for the same measure; and no less a distinguished character than the chairman of the Judiciary Committee of the House of Representatives, the gentleman from Wisconsin [Mr. JENKINS], introduced a bill into this House, drafted by himself, for the immediate ownership and control of all coal mines and the railroads leading therefrom and appertaining thereto. That measure at that time could not have commanded the support of this side of this body, but we have progressed rapidly. We have got to a point pretty nearly where we are ready to declare for municipal ownership and municipal control of everything and everybody, and that vision which came to Jack Cade in the old days may yet be realized, when he declared that upon his accession to power "then should seven half loaves be sold at the cost of a penny, and every three-hooped pot should have ten hoops, and in all England it should be felony to drink small beer." [Applause.]

We are coming by rapid steps of progression to government ownership. Government control has not exhibited in that portion which has heretofore come under our observation such marvelous performances as to commend it to us. Here in Washington we have presented the best examples afforded of it. We have the Government Printing Office, and there is not a gentleman here who does not know that he could have a speech printed—and I could have this one printed if I wanted to—very much cheaper in a private printing office, probably at a third less than at the Government Printing Office. I am not going to have it printed though at any price. [Applause.] It costs three times more than it would cost at a private or individual outside printing office.

In our Government Gun Factory here in Washington testimony has shown over and over again that 70 per cent of the work upon those guns is done by contract and 30 per cent of the work is performed by the Government, and yet 70 per cent of the cost is represented by the 30 per cent of the work done in the department here in the navy-yard.

If further exhibition were necessary of the waste and the undesirability of the Government entering the realm of industrial enterprise, perhaps the Panama Canal affords as apt and opportune an illustration as any other. I am speaking at random, but I see a gentleman before me who is an authority upon that, if any man in the United States is an authority. I believe the estimated cost of the Nicaraguan Canal was from eighty to one hundred million of dollars by private enterprise. Am I in error? We have bought and paid for the rights of the French company in Panama, and with the money that we have expended it has already cost us 60 per cent of the estimated cost of the Nicaraguan Canal. I do not believe that the charges that have been made of corruption or extravagance are warranted, for I do not believe that under governmental regulation, with the red tape that necessarily exists and the cost that comes to the Government in the performance of all duties, that the expense could have been much less even if angels instead of men had control of it. Why, just the other day we had before this body a measure to expedite the work, to make it possible to build that canal by repeal of the alien labor law, permitting the aliens engaged in manual labor there to work more than eight hours a day, and, if I remember correctly, there were but eight or ten of a majority for the passage of the bill. Oh, some very distinguished gentlemen on both sides of this Chamber begged to be excused, not but that they believed it to be right and proper, but they were afraid of the influence it would have upon the labor unions of their districts and the result of it would be manifest at the polls next November. It was not much of a majority.

No American can or ought to dig that canal with physical labor. The bill did not jeopardize American labor; it did not go so far. It was not a measure of great efficiency, because we did not dare to go far enough to repeal the law which forbids an officer of the American Government working any man, alien or otherwise, more than eight hours. And I believe it is a conclusion that has forced itself into the minds of the thinker and every student of the canal problem, that when we do accomplish this work finally we shall do so through a system of contracts rather than by direct governmental operation.

While there have been abuses under the present system of railway control and management, I believe that for twenty-five

years they have been steadily diminishing. Since the passage of the interstate-commerce act, supplemented by the Elkins Act, any man who has given a secret rebate or a rate to one man which was not open to another is a criminal, and if his punishment has not followed it has not been because of the lack of the law, but the lack of the courage, or the inattention and dereliction of the man whose sworn duty it was to punish and to correct that evil.

For the system of rebate no man can offer a defense. It is indefensible in business, it is indefensible in good morals, because if the right be granted to give one man or corporation a rate that is not accorded to every other man or corporation, it is granting to that man or corporation the power to destroy that which never should be granted or permitted to rest in their keeping. That there have been abuses to be corrected I will grant you. If the law has been derelict, how shall those whose sworn duty it was to obey the mandate of the law be held under this measure to stricter accountability than they are to-day?

My friend from Kentucky here, whose scholarship and wisdom and patriotism we all admire, and whose word goes with us all, as it does in Kentucky, asked the gentleman from New York [Mr. PERKINS] last evening a question, and detailed a statement of the affairs existing in eastern Kentucky, which, if true, was revolting to that sense of justice which ought to be in the breast of every true American citizen and every other man, whatever his nationality. As I recollect the statement—for I did not want to interrupt my friend [Mr. PERKINS], because he had only five minutes more before the closing hour—

Mr. GILBERT of Kentucky. Mr. Chairman, in that particular instance the producers of ties in the mountains of Kentucky have no redress at all by appealing to the commissioners of my State, for the reason that the owners of the ties desire to ship them into other States. Now, I would like the gentleman from Pennsylvania to state, first, whether or not that condition ought to be remedied, and if it ought to be, what the remedy should be.

Mr. SIBLEY. Mr. Chairman, if I knew what the remedy was and how it ought to be applied, I would be a wiser man than any man I have seen recently. Railroad people have been grappling with this problem, and so have the Interstate Commission, and bright men in this House on both sides of the Chamber for a great many years. But it occurred to me this way, just looking at it from a business standpoint. If I understood your question to the gentleman from New York [Mr. PERKINS], and the statement of facts, it was that men living in the mountain districts of Kentucky were engaged in cutting railway ties, and the roads had put the rates so high that those ties could not be shipped, making it practically confiscatory of those ties to take them to market; and that when they protested, the railroad said: "We want to use these ties ourselves at some later period." Now, granting that that is exactly the situation that occurred, I want to appeal to some gentlemen who are lumbermen and business men, and if I am mistaken I wish they would correct me.

I think an 8-inch railroad tie of green oak would weigh something like 300 pounds, and that the ordinary wagonload is 8, 10, or 11, at the most, of these ties, weighing 300 pounds each. Now, then, a man in the mountains of Kentucky wishes to sell them to some other transportation company a distance of 200 or 300 miles off the line of this road, and he applies for a rate. He is given a rate, we will say, of 8 cents a hundred pounds. I believe gentlemen would recognize that 8 cents a hundred pounds would not be an excessive rate to a point some 200 miles off. That would make the cost of each tie 24 cents for transportation. I think that the average price of the tie to the railroad is about 45 cents. That would leave the man but 21 cents for his tie, which would be confiscatory to him; and yet that 300 pounds could not be shipped for less.

Mr. GILBERT of Kentucky. Mr. Chairman, why can not the Louisville and Nashville Railroad Company ship ties at the same price it ships other lumber and timber?

Mr. SIBLEY. In answer, I must say I do not know. You have not given me the schedules on lumber and timber.

Mr. GILBERT of Kentucky. I understand the price on ties is three or four times what the price is for the average freight on ordinary lumber. The discrimination against ties is simply by reason of the fact that they want to use those ties at some future period in the repair of their own road.

Mr. SIBLEY. There is nothing heavier, for the number of feet of lumber that it contains, that sells so cheaply as a railroad tie. Its total value is 45 cents; its weight, approximately, 300 pounds; therefore, it can not bear transportation to any great distance; and it is to be presumed that if the protest was made that it was confiscatory, that the railroad manager would say, "Well, that is the rate; we can not ship it for less; but you hold your ties for a time, we will need them and take them

ourselves, and use them on the line of our own road." That would be the answer he would give to that proposition.

Mr. Chairman, in this measure now under consideration it seems to me we are invading the realm of socialism. This bill should be properly termed "A bill to fix rates by political agencies," and, in the language of another, "To establish the business of transportation by lawsuit." You have got to commence with a legal decision at the beginning, and you have got to take it at every point along to the very end of the chapter. If I construe it rightly that is the effect of it. If you yield to the sentiment that is coming up to-day—and we have had the warnings that worse is to follow—if you yield to-day to Mr. HEARST and Mr. Bryan, who declare that they support this measure, not as a panacea, not as a cure for all evils, but that they have indorsed it as a step in the right direction toward government ownership—if you yield to this sentiment, you must realize in what direction you are going.

This current of socialism has become so rampant in this country that within the past week Mr. Jack London, whose books we have all read with interest, is reported as having said from a public platform in the city of New York that the time had come for the division of all property and the use of so much force and the shedding of so much blood as should be necessary thereto. I am not to be stampeded by the desires of men who are looking at it merely from the standpoint of State socialism. And without any disrespect to my friends who favor this bill, because I guess you all do [laughter], I want to paraphrase the language of Horace Greeley. I will not paraphrase it exactly, but I think it could well be paraphrased in this wise:

"Not all men supporting this bill are socialists and anarchists, but every socialist and every anarchist in this nation does indorse this bill, the product of your creation."

Mr. COOPER of Wisconsin. May I ask the gentleman a question?

Mr. SIBLEY. I yield to my friend.

Mr. COOPER of Wisconsin. The gentleman is using the term "socialism" quite frequently. I should like to ask him this question: In the case of the street-car system of the city of Washington, does the gentleman believe that Congress ought to say what that street-car system shall be allowed to charge for fares; that it ought by statute to say that the street-car company shall give transfers at certain points; that they shall give commutation rates—that is, if you buy six tickets you shall only pay a quarter for them? Do you think that the use of the epithet "socialism" and the application of it to the men who vote for that sort of thing ought to deter them from voting for it? And if it is right in the case of a street-car system, which is essentially monopolistic in so far as the municipality is concerned, wherein does that sort of legislation differ in principle from the Government regulating interstate commerce over railroads, which are in themselves monopolistic of that traffic?

Mr. SIBLEY. Mr. Chairman, my friend is well recognized by all of us as a very eminent legal light, and I can not enter the realm of discussion of legal propositions with him. I am going to attempt to look at it from a business standpoint and not discuss the legal phase or the rights that might exist. Unquestionably the right does exist. You claim it as a constitutional right, through that article of the Federal Constitution which declares that Congress shall have the right to regulate and control commerce between the States.

Mr. COOPER of Wisconsin. I beg the gentleman's pardon. The question that I put was this: Does the gentleman think that Congress ought by law to fix the rates or tariffs that street-car systems shall be permitted to levy upon passengers in the District of Columbia, in the city of Washington? If so, wherein does that kind of legislation differ in principle from the proposed legislation which attempts to fix a just rate upon interstate railroads, they being just as monopolistic of that traffic as the street-car company is monopolistic of the passenger traffic in the municipality? I was speaking of the principle, and whether the gentleman favors its application in the one case, and if so, why he does not favor its application in the other.

Mr. SIBLEY. Mr. Chairman, there are many different questions involved in the one, but I will state that I believe Congress is really the town council of the city of Washington, its board of aldermen, and possibly its mayor as well, and in that capacity the regulation of street-car fares within the District of Columbia has been committed to it, and I presume that it is within the province of this House and its right to establish whatever conditions it sees fit to impose that are legal and constitutional.

Now, gentlemen, I am not looking into the faces of a rabble of uneducated and ignorant men. There is not a man here into whose face I look that is not familiar with the conditions which led to the writing of that clause in the Federal Constitution. You know as well as I do that fifty years antedating

the birth of the American railway volume after volume was written, during the Revolutionary war and subsequent thereto, until the adoption of the Federal Constitution, and that this was the main issue that filled the pamphlets of all the pamphleteers, the newspapers, and the public discussion. That was because New York was laying duties on the products of Staten Island and portions of New Jersey and erecting a customs barrier against goods which came from Connecticut. It was under the claim that we should be merged into one greater whole with great aims and aspirations and be a great nation and not a combination of petty principalities that the article was written there, that you and I might move our property undaunted, and not be kept out by customs barriers and customs officers.

Mr. JAMES. May I interrupt the gentleman?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Kentucky?

Mr. SIBLEY. I do.

Mr. JAMES. I would like to ask the gentleman this question. The gentleman has told us that this measure tends to socialism and that Bryan is its leader. He has said that Bryan supports it not merely because it is right, but because it tends toward Government ownership of railroads. It is also said that his party is quite near unanimous in the support of this measure, and therefore he stands almost single and alone. I wish to ask him to enlighten this House as to the means employed whereby the whole Republican party has right about faced and is following William J. Bryan—the one you hailed as an anarchist, seeking to destroy. You now rush to his doctrine as the one which saves and redeems. [Applause on the Democratic side.]

Mr. SIBLEY. Will my friend excuse me for putting the responsibility of answering onto broader and abler shoulders than my own among my colleagues? [Laughter.] I will say to the gentleman from Kentucky that he need not shake his gory locks at me. [Laughter.]

Mr. JAMES. I want to say to the gentleman that my locks are nearly as absent as his. [Laughter.] I might suggest to the gentleman that if he wants the burden taken off his shoulders, that perhaps the Republicans have had their ears to the ground on this great railroad question and heard from the people.

Mr. SIBLEY. The answer is not up to the gentleman who has the floor at the present time.

Mr. Chairman, it would seem that all representatives of the highest ideals of development of our civil life who represent the civic virtues could be guided by these monuments, these beacon lights which human history and experience have erected all along the shores of time. It seems unfortunate, but nevertheless it is a fact, stated to be such, that never yet was the child born on all this earth that would ever believe the fire was hot until it stuck its fingers into it.

New Zealand many years ago, perhaps under conditions similar to those now confronting us, thought there should be given to a political commission power to establish rates for transportation in that country. The right was granted, but then it proved but the one spark of fire that lighted the whole train that followed. From the commission given the authority to establish rates there came every sort of abuse in that country, and protests of the patrons and the people until in New Zealand they purchased the railways. And upon that purchase disaster followed disaster; or it may be that it was the evolution of things. It is according to how far a man has become imbued with socialistic virus.

One of the main adjuncts to great political power is the authority to control the railways of the nation and its employees. The men or party having that power would be ambitious, and, seeing their opportunity to protect themselves through years to come, they failed not to take advantage of their opportunity. They then passed a law making it compulsory upon the government of New Zealand to find employment for all unemployed labor; to establish governmental banks, and decreed that any man, however indigent, could borrow at least \$50 from the government; to declare for old-age pensions, and indigent pensions to be given not under the operation of any universal law, but by a commission appointed by the prime minister, and I am confident that these appointments went where they would do the most good politically. [Laughter.] Then, to throw a sop to the farmers, they decreed that whenever any twelve farmers petitioned for a creamery or a butter factory it should be established, if the cost was not exceeding \$8,000.

And when there came to the prime minister the people protesting that under their progressive land tax and their progressive income tax they were being denuded of all their possessions, the prime minister, Mr. Seddon, said, in answer to

them, these words: "That is the object of this legislation—that there shall remain in all New Zealand neither a rich man nor a poor man." So the forces have swept on until they are in the throes of state socialism, and they are going to make a glorious success of it just as long as there remains in pockets of thrift and industry one dollar to be wrung out in the form of taxation. Then there comes, as the sequence to the socialistic state, the state of anarchy, and then the reign of terror, and then the swing of the pendulum to the other side, and the strong man on horseback. In all human history that has been the experience, and society has been forced to rebuild its shattered superstructure upon those foundations which guarantee the rights of persons and of property.

Passing from New Zealand, a country self-governed, where political power could exert itself in government control, let us look at Germany—Germany, the most highly educated nation perhaps upon the globe, having a bright people, a progressive people, and an industrious and sober people. In 1878 Bismarck declared that it was necessary that the Government should take over the ownership of the German railways in order that through control of rates it might be possible to decentralize and unify the German Empire. And right here, for fear I shall forget it, at the last diet there appeared before that diet the prime minister, declaring that it was necessary to build a canal to unite the waters at the head of navigation on the Elbe and the Rhine and to extend their systems of canals through the Empire, that the German Empire might be decentralized and unified. So, in autocratic Germany, with the people educated through the centuries with respect for their rulers, it has been found absolutely impossible to establish rates for transportation except on one basis, and that the hard and fast basis of distance and cost of service. Under the operation of that law communities have been built up and cities have been destroyed. Bremen, once a prosperous port, has seen her wharves rotting or idle and her freight and commerce transferred to Hamburg.

In Germany, a country not very much greater, if any, than some of the States in our Federal Union, we find the people dissimilar and as sectional as though they were distant nations. In eastern Germany the products can not find an outlet to western Germany. The wheat and sugar of eastern Germany come down the Elbe and around by the ocean and up the Rhine to find their market at Hamburg, or their wheat goes down the Danube, through the Black Sea, around the Mediterranean, and up the Atlantic coast, and find their market at the miller's door on the Elbe or the Rhine. Germany exports from her eastern borders every year to Norway, Sweden, and England, under an export bounty, several hundred thousand tons of wheat and rye and barley, and under an import duty of 35 marks, or about \$8.75 a ton, she imports more than 2,500,000 tons of wheat into the Rhenish provinces. That little country finds that she can not transport her product from one section to the other, and pay the railway tolls demanded under Government control and direction.

Mr. GILBERT of Kentucky. Why?

Mr. SIBLEY. Ah, my friend, I am glad this question has been asked. I will tell you why. I read from Von Thielen, minister of public works:

Under existing railway tariffs 125 miles appear to be the distance that grain can be transported by rail for domestic consumption, and that for many purposes of trade eastern Germany and the Rhenish provinces are farther apart than Germany from New York or Buenos Ayres.

Germany has three great iron districts, the Ruhr, the Saar, and the district of Silesia, in the southeastern portion. The Saar district, one of the greatest iron districts of all Europe, is 220 miles distant from the Ruhr district. And yet each of these districts finds its zone beyond which it can not ship its products by rail. Except as water communication is afforded them, they are not shipped, although but 225 miles distant, and the smelters of the Ruhr district needing the iron of the Saar district. Only the most expensive and carefully selected iron, that can bear the cost of railway transportation, is shipped. While the coke traffic between them amounts to 1,250,000 tons by water, only 25,000 tons are shipped by rail.

Mr. GILBERT of Kentucky. Mr. Chairman, may I interrupt the gentleman?

The CHAIRMAN. Does the gentleman yield?

Mr. SIBLEY. Yes.

Mr. GILBERT of Kentucky. Is not that in harmony with the gentleman's first proposition, by reason of the expense incidental to the Government operating an enterprise of that sort? Now, do we not seek to avoid that by leaving the operation and the control of the railroads in this country in the hands of the owners and not putting it in the hands of the Government; and

does not that argument react against the position the gentleman takes?

Mr. SIBLEY. I will say to my friend that I think within a minute I will come to the portion of my subject that will, perhaps, answer him; if not, I will ask him to repeat it. I want to keep on with this thought.

Those districts have their territory, and the products of one can not invade the other; and in a statement made by one of the ministers of the German Empire he stated that it was operating like a system of customs barriers about the different sections of Germany. And that is why, in the last Diet, the request was made for the money to build these waterways that they might accomplish what Bismarck sought to do in 1878—the decentralization of these sections and the unification of Germany. But every time they came up against this political proposition that these provinces must come to the support of the rulers, so even in the German Empire political considerations have influenced the establishment of rates as they certainly would if this legislation became effective. The section of country possessing advantages of location determined to maintain the advantage.

Mr. MANN. The rates in Germany are absolute rates, fixed by the Government?

Mr. SIBLEY. Yes, sir.

Mr. MANN. Below which the products can not be carried. The territory is circumscribed in Germany because the Government will not carry the products as cheaply as a private corporation probably would be glad to carry them.

Mr. SIBLEY. I think that is right.

Mr. MANN. Does the gentleman find anything in this bill which would prevent a railroad company from carrying products as far as it pleases and as cheaply as it pleases?

Mr. SIBLEY. Mr. Chairman, I shall ask my friend if he will wait until a little further along in my remarks, when I will try to make clear why it appears to me so. I may be in error, as I generally am.

Mr. MANN. It would be very rare if the gentleman is in error.

Mr. SIBLEY. The people producing iron in the Ruhr district came to the Government and demanded lower rates on their ores. Von Maybach, minister of public works in 1899, said this:

The inability to make lower rates was due to the unwillingness of the Government to prefer the Ruhr to other iron-producing centers. It would not do to give one district rates which would allow it to grow more rapidly than another district. Equal treatment must be accorded to all. Moreover, the Government could not make reductions that would expose it even to the suspicion of preferring one district.

Then later Von Miquel, one of the greatest ministers of finance Germany has ever had, except and alone Bismarck, said:

Summing up the situation, it would appear impossible to retain state ownership of the railways unless it should be made practicable to make rates in accordance with hard and fast rules such as those made upon the cost of service.

And again:

The system of government ownership must break down unless it finds refuge from the conflict of local and sectional interests.

This was supplemented by a report of the commission appointed by the ministers to investigate railroad affairs, where they say in the report:

Any system which takes into account else but the cost of service will precipitate a measureless conflict of interest and put the whole system into the domain of politics and array section against section, farmer against trader, and trader against manufacturer.

So Germany, instead of being unified, has been divided and they have been building and developing their canal system. Two great rivers—the Elbe and the Rhine—run almost parallel, constituting the great central arteries of transportation. Germany has been developing her canals. Last year they voted ten millions to build a canal from Berlin to Stettin, 100 miles distance, already connected by a railroad with abundant facilities for transportation; and now, that Berlin may reach that point, they are building a canal costing \$10,000,000, while that railroad last year transported but 200,000 tons of freight, less than is sent by one concern from my home town in Pennsylvania.

What has been the experience in France? Practically the same. The French commission, in order to protect their canals and their waterways, by ministerial decree ordered that the railroads should not fix rates within 20 per cent of the price of water tolls. They had to have a law to prevent the railways competing with the canals.

In Italy, where the control of rates is fixed, and the Government controls all of the railways and owns a majority of them, the Italian commissioner summed up the conditions in that country by saying:

It is a mistake to expect lower rates or better facilities from government than from private companies. The actual results are just the

reverse. The state is more apt to tax industry than to foster it, and when it attempts to tax industry it is even less responsible than a private company. Second. State management is more costly than private management, and a great deal of capital is thus wasted. Third. Political considerations are brought into a system of state management in a way which is disastrous to legitimate business and demoralizing to politics.

To-day, under the development of the American railway transportation system, a carload of wheat is shipped from the Mississippi River and laid down on the docks at Liverpool cheaper than the English road charges for taking it from London to Liverpool, a distance of 210 miles. Under this development it has been said by no less an authority than Professor Hadley, of Yale, that the cost of transporting the wheat in a loaf of bread from Dakota to New York City is less than the cost to the baker delivering it from his shop four blocks distant to his morning customer.

This American railway system is not perfect, but it is working so far toward perfection that it is the admiration of all of the railway men of the world. This system, while it has not been responsible for all our growth and progress and development, is entitled to its fair share of credit as one of the chief factors incident thereto.

Gentlemen speak of the rights and privileges they have conferred upon the railways as one of the reasons why they should become subject to Federal control, and because we have granted them rights to build across our territory and public lands. Mr. Chairman, I am not the oldest Member of this House, except in appearance. There are men whose hair is grayer than mine, and there are some whose hair is darker than mine, who can remember when we talked about the building of a great transcontinental line about as we would to-day a proposition to establish a line of air ships between New York and Liverpool. It was a matter for the far-distant future. While we admitted it might be a military necessity and justifiable upon those grounds, what man ever dreamed of seeing it become one of the great arteries and highways of American commerce, to be duplicated over and over again?

I have ridden for a hundred miles across the plains of Kansas before the ballast was laid, where you would not see, outside of the house of the section man, a single habitation. It was a wilderness as barren as it came from the hands of its Creator. To-day you ride through fertile fields and through orchards with golden fruitage. Through your State of Minnesota and yours of Illinois I have seen in my day lands increase from \$10 an acre to \$100 and \$150 an acre, and I guess they are cheap at that. The reason for this is that you enjoyed, with me in Pennsylvania, the facility afforded by the enterprise and push and genius of American railway management, of marketing your goods almost as cheaply as I could market mine. And while in the States of New York, Pennsylvania, and Ohio our farms and our buildings and our improvements have declined since 1880 \$326,000,000, yours have gone up and increased into the billions, and we say, "God bless you; we are glad of it."

The rate from my town to seaboard is 16 cents a hundred, and yet last year the rate on wheat from the Mississippi, and the rate the year before—I think I am correct—was but 14½ cents a hundred pounds to New York. It was a cent and a half a hundred less than mine. Is there a man who believes it is possible for any other rate than the distance rate? If I understood my friend from Missouri correctly, I understood him to say that it was the only fair rate. You can not have any other rate, nor will you have any other rate under this law, in my judgment, except that based upon the "cost of service" and distance. I know it is an unpopular thing to say, "We will charge what the traffic will bear," but that has been the foundation and keynote of our commercial and industrial development. The railroad has been ready to meet the producer more than halfway in finding an outlet for his products. Upon what principle has the Interstate Commerce Commission decided all of its cases? I want to quote the language exactly. Not once, but over and over again, this has been the exact verbiage of their opinions:

Each locality or section is entitled of natural right to the advantages of trade or industry accruing to it by reason of its geographical position.

That the Interstate Commerce Commission which is going to interpret and execute your law; to whose hands you are committing this tremendous power. They are to emphasize the experience of France and Italy and Germany and Australia and every country and people of the globe where a rate-making policy by government has been attempted. I can see no justice in a system that does not take into consideration the cost of the service. Living, as I do, 500 miles from New York, is it just to me, when I ship to New York at the rate of 16 cents a hundred, that a man who lives three times as far, on the Mississippi, or four times as far, on the Missouri, or six times as far distant,

out in Dakota, should expect and receive the same rate that I, through my proximity to market, receive?

I would complain at once to the Interstate Commerce Commission under this law that that was an unjust discrimination against me, living in Pennsylvania in close proximity to the market. The Interstate Commerce Commission would be bound to declare that it was unjust and discriminatory that a man living in the Dakotas or Mississippi Valley should have an equal rate, and would order my freight to be reduced in proportion, say, to 4 cents a hundred. The Supreme Court would declare that confiscatory. If they were to make it 8 cents a hundred it would be confiscatory. But say they will establish it at 10 cents a hundred—for certainly that is not unreasonable, for grain has been shipped from the Mississippi at 14 cents a hundred—then what happens? If for 500 miles of service 10 cents a hundred is reasonable, then—

Mr. GILBERT of Kentucky. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended ten minutes.

Mr. SIBLEY. Mr. Chairman, I think perhaps the Chairman was not in the chair, but I understood that I was to have liberty to conclude my remarks.

Mr. ADAMSON. The only limitation upon the gentleman is his own good judgment and good sense. [Loud applause.]

Mr. SIBLEY. Mr. Chairman, the gentleman from Georgia, who is always chivalric in his treatment of his colleagues, was kind enough to say to me that he did not want to cut me short, but that he was under some pretty pressing obligations to gentlemen on that side and hoped that I would not exceed one hour and a quarter, if I could help it. But inasmuch as on this bill there has been no division of time between those in favor of it and those few opposing it, the gentlemen in charge of the bill have been kind enough and fair enough to express a willingness that I should have such time as I needed, even if I could not agree with them, because of the limitations of mental ability or capacity.

Mr. GILBERT of Kentucky. One other question. I will ask the gentleman if he thinks the Interstate Commerce Commission would, under this bill, still adhere to the ruling heretofore announced in face of the fact that the Supreme Court has overruled them, and had decided that that measure of procedure was illegal.

Mr. SIBLEY. There is no question whatever. Each decision, I take it, that has been made has not been a broad and sweeping decision. I would rather you asked that question of some good lawyer, like my friend from Illinois [Mr. MANN], or the gentleman from Massachusetts [Mr. McCALL], who is going to debate the legal propositions. I am trying to apply what little business sense I have acquired during a number of years that I have been in business. Six years ago I retired from business, and now I am about to go out of public life.

Mr. MANN. Much to our regret. [Loud general applause.]

Mr. SIBLEY. It is very kind of you to say so. I was trying to bring to the consideration of this subject the ripened wisdom or information which has gravitated to me from observation of some things that have occurred and knowledge that has come to me as a shipper and one who has been in close touch with business affairs, that there can be no other basis than the basis of distance and cost of service, if we do justice to all sections without fear or favor. If there is any other disposition made to establish rates it will lead to a struggle between rival sections of this country which will make the struggle between the North and the South over the slave question seem insignificant. Then we will have Senators from Pennsylvania contesting with Senators from New York for the power that they can exercise to control the Commission. You will have Senators from Maryland contesting with New York Senators and New England Senators for their particular locality and ports for which they are responsible. So with Louisiana and Texas; so with South Carolina and Georgia. The Senators that represent those different Commonwealths will be found in competition with each other. If you commence to apply any rule, you have got to apply a rule that is absolutely just. What is the cost of service and what is the distance traversed? You can not apply a rule and make the American people conform to a rule which is not based on absolute and equal justice to all.

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

Mr. SIBLEY. Certainly.

Mr. STANLEY. Is it not a fact that this bill attempts to do that very thing, to give to some commission the right to review the action of a railroad company when it makes a ruling and makes a rate that is not dependent upon the distance and the cost, but upon some other consideration?

Mr. SIBLEY. Mr. Chairman, in my judgment the inexorable laws of trade and of competition will establish at last either

a *modus vivendi* or it may be a *status quo*; I do not know the exact term, but you lawyers and diplomats can figure that out. But somewhere there comes an armed neutrality after the war and rate conflict and struggle for supremacy between rival corporations and rival communities; there comes a fixed price for charges established either by common consent or by common experience, and they have got to make the best of them.

All this trouble springs mainly not from individual shippers, because the Interstate Commerce Commission not once, but over and over again, have said that as a whole rates are not excessive upon American railways; but the complaints have originated from communities—of the preferential or the differential. When the Soo Canal was built, opening up the waterways and making possible the passage of the largest ships into Lake Superior, the wheat that formerly came to Milwaukee and made it the foremost wheat market on this continent ceased to come there. It went around through these waterways, and Minneapolis was sending her wheat and her flour out through the highway of the Great Lakes. The railways lost their traffic, and in order to compete with that waterway they reduced their rates on wheat and flour for export or for domestic markets. The result was that no more wheat came to Milwaukee, and she, seeing that she was not getting the wheat, complained of those rates, and so there started the rivalry between Milwaukee and Minneapolis and between Minneapolis and Duluth as to merchandising; and so it has been all over the Federal Union; Charleston, angry because she is not a basing point, Savannah getting the advantage.

My friend the gentleman from Missouri spoke about these basing points as a great evil, and that they tend to build up great cities, great centers where there are slums, and where crime prevails. Unquestionably one of the phenomena of our civilization is the great urban growth, and unquestionably the railways have been measurably responsible for it. Now, in modern days the merchant gets right next door to the merchant who is in the same line of goods. In the old days he used to think he wanted to get as far away as he could. Manufacturing interests centralize for the benefit of whatever rates may be obtained, either by rail or by water, from those competitive points, and so has come this urban growth.

If I understand the basing, or basic point, system (if I am incorrect I will be very glad for my friend from Illinois to correct me, for I know he has given more study to it than I have), I will take, for instance, Atlanta, Ga. We will see whether the complaint that there should not be a greater charge for a shorter distance is correct. We will say that the rate from New York to Atlanta is 30 cents per hundred, while at some point 100 miles this side of Atlanta there is no basing point. We call it Smithville. Now, the rate to Smithville from New York is 75 cents a hundred in less than carload lots. There is not a gentleman here who does not know that economy of transportation comes from the ability to carry great quantities. You can carry a carload or a trainload at a per hundred for a small per cent of what you can if you are moving only an individual hundredweight.

And so the rate of local merchandise to Smithville, 100 miles distant from Atlanta, is 75 cents a hundred. Therefore a merchant going to New York and buying 300 pounds of dry goods and 300 pounds of groceries, instead of shipping to Smithville, ships directly through to Atlanta at the 30-cent rate and pays the local rate back to Smithville of 20 cents, and so it costs him 50 cents a hundred, or \$3, to lay his goods down in Smithville. Now, then, he saves 25 cents a hundred over the local rate from New York to Smithville. But what about the man 100 miles south of that basing point? He pays his 30 cents a hundred plus the Atlanta rate of 20 cents a hundred, and he has had his freight carried 200 miles farther than the man in Smithville at the same price. The railway companies have thought it wise that all freight going into these zones within the radius of these towns could be shipped in carload loads, and so they take them in carload loads and then distribute them from these basing points. It is apparent that they could thus make the rate lower for all the communities than they could under any other system.

Mr. BARTLETT. May I interrupt the gentleman?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Georgia?

Mr. SIBLEY. I do.

Mr. BARTLETT. I want to say to the gentleman that the case that he puts is the very one that the Supreme Court of the United States considered in the Social Circle case in the shipping of buggies from Cincinnati to Augusta. They made the freight lower to Augusta than it was to Social Circle, Augusta being 120 miles farther from Atlanta than Social Circle or from Cincinnati, and the Supreme Court held that the railroad did

not violate the provisions of the long and short haul clause. This bill does not interfere with the long and short haul clause as it is now written.

Mr. SIBLEY. I will say to my friend from Georgia that that is a matter of profound regret to me. I heard expressed to-day by a gentleman who served on the Interstate and Foreign Commerce Committee a profound regret that the gentlemen could not agree among themselves. They are all agreed upon one issue. I do not want to repeat myself, but I can recollect a similar instance when there was an agreement between men, about the time that one of the greatest wrongs was perpetrated that ever was perpetrated in human history, and it is recorded in these words: "And Pilate and Herod were made friends from that day." [Laughter.]

Mr. BARTLETT. I hope my friend does not propose to be so sacrilegious as to compare the railroads to Christ.

Mr. SIBLEY. Oh, no, my friend. The proudest and richest man is entitled just as much to his share of protection as the poorest object that walks this earth, and the poorest object has as much right to his share of justice as the proudest and richest man.

Mr. BARTLETT. And no more.

Mr. SIBLEY. And no more. The wrong done one man, whether he is rich or poor, is a wrong done to our common brotherhood of man.

Mr. BARTLETT. Now, will the gentleman permit me to say—

The CHAIRMAN. Does the gentleman from Pennsylvania yield further to the gentleman from Georgia?

Mr. SIBLEY. Yes; certainly.

Mr. BARTLETT. I want my friend to understand what I said, that this bill does not change the existing law in the act of 1887, as it has been construed by the Supreme Court upon the subject of the long and short haul. None of us claim that it does. I say to him frankly that I as one of the minority tried to change it, but I did not succeed.

Mr. SIBLEY. I will say to my friend from Georgia that there were some questions asked yesterday by a very able gentleman, whom I do not see present now, one for whose ability I have great respect, the gentleman from Kentucky [Mr. SHERLEY], and I found that he could not agree with some of them, and where lawyers can not agree, what folly and presumption it would be for us ordinary individuals to enter. I can not enter it. I must keep out of that realm, and shall not attempt to enter it.

Mr. BARTLETT. I will say to the gentleman that I think the legal profession has missed a great deal because he did not enter it.

Mr. SIBLEY. Oh, my friend is complimentary and is always partial. [Laughter.] Mr. Chairman, in Germany the manufacturers of iron have waited upon the German Emperor and told him that except they can receive a reduction equal to 66 per cent of the railway tariff that they will be driven out of that portion of Germany's iron market where the American products can compete.

The cost of transportation in every ton of pig iron made in Germany represents 30 per cent of the entire cost; in the United States, if my figures are correct, I think about 6 per cent. Now, my friends in Pittsburg and some other manufacturing centers will find this condition, that as in Germany or in any other country where the hard and fast system of distance and cost of service must prevail in order to obtain justice to each individual and each community, there will be certain zones across which their products can not go, whether those products be the wheat and corn of Dakota or the cotton and the iron and the magnificent productions in fruit and forests of the southland. Each will find his zone, beyond which he can not go. Within the last week there has been made a rate on oranges from California, including fast schedules, icing charges, and ocean transportation, of \$1 a box to London. A box of oranges weighs 80 pounds.

Mr. STANLEY. Will the gentleman yield to a question?

The CHAIRMAN. Does the gentleman yield?

Mr. SIBLEY. Yes; certainly.

Mr. STANLEY. Can the gentleman inform me whether or not those same oranges can be shipped at that rate from California to New York?

Mr. SIBLEY. I think 80 cents is the rate to New York. That is my understanding.

Mr. STANLEY. I am asking only for information.

Mr. SIBLEY. While from Florida, only a third of the distance, the rate to New York is 60 cents a box, if I recollect. Now, that would look discriminatory. From California those oranges must cross three ranges of mountains, they must come

through the canyon passes, over the curvature and the gradients of three great ranges of mountains, while from Florida they will traverse an almost flat and straight line.

As I say, that looks like discrimination as against Florida, but it possibly is not altogether so, for the reason that Florida oranges come earlier to the American market, and that market absorbs them, and that rate has been made on the oranges from California, which are now greater in production than our home consumption, that they may reach the markets of the world and compete with the oranges of the Mediterranean. The railway, looking selfishly to its own interest, has found its interest to lie along the line of the greatest good to its patrons as a rule. Last summer I was a member of the committee which paid a visit to the opening of the exposition at Portland. While there, in talking with the general superintendent of the Northern Pacific Railway, he told us that they were giving a rate on lumber from Portland to the points east over the Cascade range of mountains and the Rocky Mountain range at 5 mills a ton per mile, while the company charged itself 6 mills a ton per mile for carrying the commodities that it needed in its own operations, and they had figured that possibly they were carrying that lumber at a loss. Certainly it was a close question whether it was a loss or a profit. For what reason? "Why," he said, "for selfish reasons; because those cars by going back laden instead of empty and taking that lumber will build up the communities and develop the interests and industries along that line, and we are like the man throwing bread upon the waters in the hope that after many days it shall return."

And when I think of the development of the Far West I am reminded of what a friend of mine said to-day, that when Moses smote the rock he did not indicate any more sublime faith than did these men who crossed the desert wastes and mountain ranges, who spanned the chasms and overcame the difficulties that were presented in building the lines of railroad to the Pacific coast. They were the old men who planted the trees in the orchard of life that another and later generation might eat the fruit thereof. The history of every railway of the pioneer class is a record of bankruptcies and receiverships and ruin to stockholders. If there be an exception, I do not recall it. You speak of overcapitalization. I read the speech of my eloquent and able friend from Michigan [Mr. TOWNSEND], and it seemed to me as though it was going to be a sort of hedge, so that you could get out of the distance and cost of service proposition by showing overcapitalization, and I desire to direct attention to just one remark which struck me as very singular. I read from his speech:

Mr. LITTLEFIELD. This is the Nebraska case I am reading from, so that, if I understand the gentleman correctly, the rates must be practically confiscatory before the court would be authorized to interfere.

Mr. TOWNSEND. The court undoubtedly is trying to stretch the doctrine of confiscation to cover "reasonable returns."

Now, Mr. Chairman, I do not have much respect for courts that stretch doctrines or do anything else than administer the plain terms of the law. I do not want a commission to stretch doctrines. I would grant this Commission power to put in the penitentiary for life any man who gave a rebate or a preference to one individual over an American railway that it did not give to every other individual under similar circumstances, and then I would make it a penitentiary offense for any man to accept or receive such a benefit. [Applause.] He is the man chiefly at fault and principally guilty—the recipient is the man that committed the crime and demanded the bribe.

Fix your law making it a crime punishable by imprisonment and a fine of even \$100,000 to give a man a rebate. Make every employee or official of the transportation company, or employee or official of a firm or corporation who receives that rebate, a party criminal, if he, having knowledge, conceals such a crime. Give to the informer one-half of the fine so levied, and I will undertake to say there is not a transportation company on this continent who would take the risk of having itself blackmailed, or going to the penitentiary staring it in the face, with five or six thousand employees knowing the fact that there had been rebates given. Draw your bill as drastically as you please; make it even to the taking away of the charter of the transportation company; draw it along the lines of regulating icing charges, discrimination, or rebate, and I will be with you on every proposition but the one main proposition, that there shall be delegated to a commission appointed by political agencies and more or less influenced thereby a power greater than was ever granted to a potentate or ruler on this earth—the power to legislate, to construe judicially, and to execute.

Mr. MARTIN. Will the gentleman permit a question?

Mr. SIBLEY. I will.

Mr. MARTIN. Is it not true that what is known as the Elkins law, as far as criminal penalties are concerned, about as

thoroughly covers the question of rebates and discrimination as a statute could be drawn?

Mr. SIBLEY. Granting that is true, and I think the gentleman's statement is correct, then there is one of two other things equally true. Either there do not exist violations or officials charged with responsibility of prosecution of offenders are derelict in their duty, and it is your province and mine to force them to action.

Mr. MARTIN. I think one of the strongest points in favor of this present legislation is that it is proposed to afford a quick remedy at hand for anyone aggrieved to compel the enforcement of the present laws against discriminations and rebate, and if I understand the argument of the gentleman it is chiefly addressed against that provision in the bill that gives power to the Commission to fix a maximum rate. My own judgment is it is practically impossible to make a criminal statute so strong that it can be a practical working statute in the face of great profits in an industry, and that large interests will take chances of criminal prosecution and the tiring out by appeals to courts of their weaker antagonists.

Mr. SIBLEY. I will say to my friend this: If you made a few striking and notable examples of men, however strongly fortified they may be financially or politically, or how powerfully they are entrenched, it seems to me of all the men those are the men who should be held up as examples, and we must not plead in this twentieth century of our civilization that we must legislate because there is somebody powerful enough and big enough to break through the law. If this is the case, why do you write this law on the statute books? I will agree with my friend in one thing. I am willing somebody besides the railroads shall have power to fix rates, but I want that power fixed with a more responsible authority—the Supreme Court of the United States or the United States courts. I do not want a political body, which always has been and always will be a political body, to have the power to fix those rates.

To my friends of the South—I am going to be a Southerner myself one of these days. [Applause.] When I go through the South and see the magnificent territory and its vast wealth in iron, minerals, and cotton, forest, forage, and fruitage, with the magnificent possibilities that are going to come to that country with greater transportation facilities and a solution of the labor problem and some other problems, I am willing to grant for argument that this legislation will not hurt you one particle; but what you need now is more abundant facilities for getting your products to market and opening up and developing that country. Do you not believe, following the natural business instinct that a man of common sense and business training possesses, that he will wait until he can ascertain how this law is going to work? As wise men these railroad men would wait. Any man schooled and trained in business methods will wait, the same as if there was a tariff bill impending. It is not the evil of any tariff primarily that causes men to distrust and fear it, but the hesitation before it becomes effective, and the waiting for a year or two afterwards to find out what the effects are in practice, that causes possibly more distress and stagnation than the reduction in rate.

If there is going to be a tariff change, the merchants do not buy, manufacturers do not produce, and industries become stagnant. And so in this until it can be demonstrated that these evils which I fear—evils that the railway people fear—do not exist, and that they are being alarmed unduly, all industry and development will necessarily halt.

Now, I profoundly and sincerely hope that I am mistaken and unduly alarmed about the consequence of this bill. I hope that it does not open the door of socialism; that it is not responsive to a clamor that is going up and down the nation and which has resulted in almost giving the political control of New York City to one who declares for municipal ownership. I hope that this is not a step in the development of the theories so magnificent and glorious as outlined by Mr. Jack London; but I fear that it is a step in that direction. And therefore I trust through the orderly processes of courts of law, commanding the respect and confidence of all men, there may be the judicial determination of the reasonableness of a rate rather than by a body of men who have exercised such power in the past.

And, Mr. Chairman, if this measure shall receive the concurrent action of that body that sits at the other end of the Capitol, if there shall be given to a commission the power to construe and legislate and execute, I should love to see the committee recede from their determination to accept no amendment, and accept one that I should like to offer. And that is an amendment fixing the salaries of those seven men and fixing their term of service for life or good behavior.

I would like to see the salaries of the members of that Com-

mission fixed at \$15,000 a year, and the salary of the chairman at \$25,000, in order that we might get the pick of the very best and very highest and truest type of American citizenship, skilled in all the problems of traffic, skilled in the problems of legislation—men bright enough and big enough to occupy that position and make that Interstate Commerce Commission rival in dignity the Supreme Court of the United States, and receive a salary as much greater as the powers which you are conferring upon that Commission are greater than the powers and authority of the Supreme Court. And after ten years of service in this body, after an acquaintance with the business world that is somewhat extensive, and having known and respected nearly every man with whom I have ever sat in this House of Representatives, I will say that I believe they are among the highest and truest type of American manhood; that each man is here because, in some degree, he possesses the qualities that have distinguished and made him respected by the people among whom he resides as one of character and capacity. I shall never hear a reproach cast upon the average membership of this House without resenting it.

I know many wise, able, and good men, and I profoundly hope and entertain the opinion that if this measure receives concurrent action at the other side of the Capitol and Executive approval, that there may be selected some man to discharge the duties of the chairmanship of that commission who shall be of such rugged strength, such sterling integrity, and such ability, and such wisdom, such ripened experience, and genuine manhood, as that gentleman whose name the title of this bill bears—the gentleman from Iowa [Mr. HEPBURN]. [Loud applause.]

Mr. ADAMSON. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HEFLIN], and ask that he may consume the balance of the day.

Mr. HEFLIN. Mr. Chairman, I have listened with considerable interest to the distinguished gentleman from Pennsylvania [Mr. SIBLEY], and later in my speech I shall undertake to pay my respects to some of the arguments that he made.

The first consideration of the Republic is the welfare of the people. How to promote general prosperity and prevent the undue concentration of wealth is one of the problems that confronts us to-day. It was the hope of our fathers that in the growth and development of the Republic we would speedily reach that minimum of governmental interference with the efforts and the interests of the citizen which should give him the fullest liberty consistent with security and surrender the whole round of human life as completely as possible to the beneficent action of natural law.

That government is wisest and best which encourages industry and restrains not the proper activities of men. The Government wants every legitimate enterprise in the country to prosper, but it does not want any of them to prosper at the expense and destruction of the others. Since Jacob's cunning obtained the birthright of Esau, it has been necessary to place metes and bounds about human conduct and restraints upon the improper activities of men. [Great applause.] In the struggle for existence, in the race for the comforts and conveniences of life, the citizen is entitled to fair play and a "square deal." When he is diligent in business, enterprising and industrious, and conditions operate to deny him a fair share of material things, they are depriving him of the full and free enjoyment of his life, liberty, and property.

No man is independent of his fellows; his conduct will affect them for good or ill. As long as he recognizes the rights of others, as he should, and remembers his relation to society, and is actuated by a spirit of fairness and justice in all that he does, society has no complaint to make; the Government finds no fault with his conduct. But when he regards the rights of others as useless obstacles in the way of his greed and society as an inviting field for sharp practice, then he becomes an object of regulation for the law. That regulation of economic agencies which encourages industries and enterprises and furnishes ample reward for the proper activities of men are symptoms of genuine progress. [Applause.]

We are not here to legislate in the interest of men who are seeking the advantage of their fellows, but we are here to legislate in the interest of the great mass of the people. It is ours to point out the road of national progress in economic life. We want laws that will increase freedom for the many in all the fields of human endeavor. Those members of society who observe the rules of right must be protected against the lawless and the unscrupulous ones. It is our duty as the representatives of the people to guard the interests of the masses and promote their general welfare.

We should study the condition of our complex economic body as the physician studies the condition of his patient. We must know something of the various branches of political and social

science. And we should contribute to that moral force which induces men to acknowledge the truth and do what they know is right, for the whole art of government, said Jefferson, "consists in the art of being honest." [Applause.] Plato and Aristotle did not ask, How can a nation become wealthy? but, "How can the economic institutions and arrangements of a nation be so ordered that the highest welfare of all citizens may be best promoted?" Unless the economic body throughout is in a healthful condition there can be no real prosperity, for prosperity is industrial health. The question is, Shall we correct the evils that exist or allow them to go on until every member of the economic body is injuriously affected or dangerously impaired?

The Interstate Commerce Commission's report shows the criminality of the packers and the railroads, and it denounces their methods as in "open disregard of the law." How can we expect the citizen in the common walks of life to be law-abiding? How can we expect him to respect the law when such flagrant violations by large concerns are noted every day in the public press? If we would have the law respected, the law must be enforced. When a combine, rich and politically powerful, violates the law, the statute is suspended and the court is deaf. We need men who have the courage and the disposition to enforce the law. Edmund Burke has truly said:

When the people conceive that laws and tribunals and even popular assemblies are perverted from the ends of their institution, they find in these names of degenerated establishments only new motives to discontent.

[Applause.]

It was never intended by the founders that this Government should be converted into a bureau issuing letters of marque under which the kings of ill-gotten gain should prey upon the substance of the people. [Loud applause.] Lawless capital in combinations is making moral cowards of men. They make it so uncomfortable for the young man to thrive outside of their business enterprises that he is driven to the wall or forced to take his place at their bidding in a niche of the great combination. They regard the skill and energy of men as objects of prey for their greed. That condition in our economic body that puts the skill and energy of the many at the mercy of the few is eating on the vitals of this Republic. [Applause on the Democratic side.]

The Interstate Commerce Commission, in its annual report for 1904, said:

We said in our reports to Congress for 1902 and 1903, and now repeat, that in view of the rapid disappearance of railway competition and the maintenance of rates by combinations, attended as they are by substantial advances in the charges of many articles of household necessity, the Commission regards this matter as increasingly grave, and desires to emphasize its conviction that the safeguards required for the protection of the public will not be provided until the regulating statute is thoroughly revised.

The Commission was established—

Says Mr. Justice Harlan—

to protect the public against the improper practices of transportation companies engaged in commerce among the several States.

And Mr. Justice Harlan, in a dissenting opinion, said in substance:

And now the Commission is a useless body for all practical purposes.

The only right of the Commission is to commence a suit against the railroad to compel it to revise the rate, while the company can continue to charge such rate that it deems best, pending a lengthy litigation.

When Congress is about to convene or a State legislature is soon to assemble these great interests, whose conduct has been discussed and criticised over the country, bestir themselves in various ways to stay the hand of just regulation. Court authorities that were silent all spring, summer, and autumn, while Congress was not in session have, since the Speaker called the Fifty-ninth Congress to order, been making strenuous efforts to indict parties guilty of making secret agreements with railroads constituting a conspiracy. This note of warning, this bold declaration from court officials who have been "winking the off eye," will doubtless send terror into the ranks of the railroads and cause them at least to smile. [Applause.] The inquiry naturally arises, Why were not these investigations made before now? Why all this activity on the part of the courts when the matter of rebates and freight rates is up for consideration by this House? Is not this done to impress us with the idea that the authority for regulating railroads already exists? [Applause.]

In passing the act of 1887, creating the Interstate Commerce Commission, the Supreme Court declared that—

Administrative control over railroads through boards of commission was no new thing, but that the granting of such power is never to be implied from any doubtful or uncertain language.

That has been the trouble with the laws heretofore. They have been full of loopholes and escape ways placed there for a

special purpose, and that purpose was not in the interest of the people. The Supreme Court declared that—

Congress has not conferred upon the Commission the power to prescribe the rates, either maximum, minimum, or absolute.

Then, I ask the question, If you confer upon the Commission the power to declare a rate to be unreasonable, why not confer upon it the power to declare what would be a reasonable rate?

It is not the policy of the Democracy to interfere without just cause with the interest of private concerns. Nor does she desire to fetter commerce by unjust restrictions, and it is not her intention to confiscate the property of the railroads, and the railroads do not believe that such is her desire; but the party does insist upon one just and fair standard of conduct for all public interests. This is Democratic; this is right. Yes, the railroads have rights, but they do not possess all the rights. Their interests should be considered, but theirs are not the only interests to be considered. Until we regulate them in the interest of fairness and justice to all concerned we will not have discharged our duty. Freight rates affect the price of every article that goes into the home of the consumer. The people do not want to cripple or hurt the legitimate interests of the railroads, but the people do want fair treatment at the hands of the railroads. There is no use to be excited because the people are becoming aroused and are manifesting an interest in their own affairs.

Whenever the people get aroused on any line that affects their interests there is a mighty class who employ every agency—the press, as much thereof as can be controlled, and that is no small portion—to quiet the people and to assure them that their grievances are all imaginary—a mere myth. Although surrounded by difficulties and pinched with hardships in the struggle for existence these mighty interests tell them: "You are doing well; let well enough alone." And if a public man is found who comes out on the side of the people and pleads for a betterment of their condition, points out the mighty evils that disturb them, they call him a demagogue. Time was when he who championed a righteous cause was a brave man in the eyes of the American people, and he who never counted the cost or regarded the strength of the opposition and dared to speak the truth was indeed a hero.

Why is it that the name "Jackson" is so loved by the mass of the American people? Because in life he contributed all that it was in his power to contribute to the well-being of the great mass of the people. [Applause.] Jackson was loved by the people because he was their firm and fearless friend. The crafty, avaricious classes despised him because he openly denounced them as enemies to the Government in which they lived. He allowed no barrier to stand between him and the people he loved so well. The purse-proud plutocrats of his day despised him; but, clad in the simple costume of Democracy and armed with a righteous cause, he drove them from the high-ways of the Republic, exclaiming from the deepest depths of his patriotic soul:

By the eternal gods the people shall rule.

[Loud applause.]

This organized power that we are dealing with to-day is tremendous and must be curbed, for history furnishes no instance where power ever limited itself. Within the limits prescribed by the Constitution it is our duty to do everything possible to prevent this power of railroads and other combinations from absolutely destroying legitimate competition.

I am aware of the fact that those who oppose this measure have all the data that diligence can acquire and all the argument in support of their position that human genius can devise.

The discussion of this question has brought out the fact that the issue is sought by some to be kept between the shipper and the railroad. There are other parties to this issue. The parties who are most affected are the producers and the consumers. The producer who is dependent on a market miles away on the railroad is seriously concerned in the matter of rates. If his competitors can reach the market with their products at a less expense than he can, he is embarrassed and handicapped. The lower the rate the greater the profit to the producer. The consumer, who is largely ignored and cunningly left out of this discussion, feels keenly the evil of unjust freight rates. For after all when the produce is shipped and finally sold to the consumer the original cost, the cost of shipping, and a little profit, of course, all come out of the pocket of the consumer. [Applause on the Democratic side.] The shippers are not alone in their demand for just and fair treatment at the hands of the railroads. A vast army of American producers and consumers are making the same demand. [Applause.]

Mr. W. C. Tricket, of Kansas City, Mo., before the Senate Committee on Interstate Commerce, said, among other things:

The complaint on the part of shippers throughout the country is that certain shippers are favored by the railroads directly or indirectly and that rates are not the same for all.

We are told by Judge Fifer who are benefited by rebates and drawbacks—"only a few large shippers."

By the payment of rebates to large shippers it enables them to break down and run out of the business their competitors, thereby lessening the number to whom the original producer can sell goods. So it affects the producer and the consumer also and kills competition, for the more buyers in the market place the better it is for the farmer or for any other man who wants to sell his produce. Judge Fifer says:

You frequently hear large shippers and middlemen remark that they do not care anything about the amount of the rate, provided the traffic will move.

Who, then, is most injuriously affected by the high rates? A vast army of consumers and original producers. Judge Fifer, speaking of railroads, said:

They do not like to come out flat-footed and admit that they charge as much as the traffic will bear, but they do all the same.

Shall they be allowed to make any rate, then, that suits them, although it be unjust and oppressive?

With competition gone and combinations controlling the rate, what will become of the interest of the shippers, consumers, and producers? Judge Fifer says:

When the railroads go to make these rates they do not apply the golden rule, but they apply David Harum's golden rule: "Do the other fellow before he has time to do you."

[Laughter and applause.]

Judge Fifer said:

The rate on cotton cloth from New York to Salt Lake City is \$2.30 per hundred. For carrying it 800 miles farther, all the way from New York by Salt Lake City to San Francisco, it is only \$1, and that \$1 rate affords them a slight profit.

Now, then, he asks:

Is not their profit of \$1.30 per hundred in excess for less than nearly a thousand miles excessive?

That, he contends, and rightly so, is the question. Whereupon Senator CULLOM asked him:

Does not that fact almost absolutely make it appear unreasonable to charge \$2.30?

Senator CULLOM means, of course, for the short haul.

Yes—

Replied Judge Fifer.

From New Orleans to the Virginia cities, Richmond, Lynchburg, and Norfolk, the distance is 800 miles. Charlotte, N. C., is just half the distance, 400 miles; and yet the rate per ton per mile to Charlotte is four times as much as it is per ton per mile to either one of the other cities—Lynchburg, Richmond, or Norfolk. If they can make a small profit, as they do, on this long haul, is not the charge for the short haul excessive? And is not this treatment of Charlotte outrageous? [Applause on the Democratic side.]

The railroad enterprise is hedged about as no other concern is hedged in this country.

A railroad company goes out to build a railroad through a certain section of country. They are armed and equipped by the law with the exclusive right to build a road through that territory, assured from the outset that they will have no competition through that country from any other road. The people, many of them, give the right of way, others contribute timber, and not infrequently they give money. No spot of earth is too sacred for a railroad bed. If your burying ground lies in the track of the survey, it falls a victim to their condemnation proceedings and sells at a price fixed by court authorities. They can take and condemn private property. The Government grants right of way across navigable streams. When the road is complete, the law hedges it by saying, "You shall not deprive it of a fair return on the money invested."

These large concerns laugh at injunctions and civil suits. They need to be prosecuted criminally and made to respect and observe the law. If there is evidence enough to sustain an injunction, the same evidence ought to be sufficient to procure an indictment.

The law is over all, and it must be respected and enforced. The impression prevails—and it is largely true—that the plain people must obey the law and for every violation suffer its pains and penalties; that only those who move in the common walks of life are subject to the law. Every fair-minded man deprecates this state of things. Whether he be a private citizen or public official, village merchant or corporation president, he should be made to respect and observe the law.

When these gigantic concerns contribute to the campaign

funds of any particular party they expect favors in return from that party when it gets in power. If Members of Congress are beneficiaries of such a fund, how do you expect them to be very strenuous in their efforts to pass laws that would injuriously affect those favorite concerns? I will relate a little story that illustrates the idea that I have. A fellow who was charged with the larceny of a cow was acquitted by the jury, and upon being asked by his attorney how he accounted for the verdict of acquittal when the evidence so clearly established his guilt said:

That is very easily accounted for. Eleven of the twelve jurors got some of the beef.

[Laughter and applause.]

It is the duty of the railroad to furnish all cars, all necessary equipment to carry on all the necessary traffic of the people; and in view of this fact, all shippers should be placed on the same footing, and whether they own cars and other facilities for shipping purposes they should be made to pay the same rate that other shippers pay.

When we urge the necessity of regulating freight rates we are confronted with the statement that the rate is lower here than in any European country. Railroads have already combined in all the European countries, and in this Republic of the West they are combining with unprecedented rapidity, and unless Congress lodges the power somewhere they will, when the combination is all perfected, charge as much, if not more, than they charge in the European countries. [Applause.]

Now, the gentleman from Pennsylvania [Mr. SIBLEY] says, "Give us time. Why this unprecedented haste in the matter of regulating railroads?" Mr. Chairman, for nine long years the transportation companies have been sucking the lifeblood of the producers and the shippers of this country. "Unprecedented haste!" Nine years we have had the Interstate Commerce Commission, with no power to enforce any order; with no law to guide them in regulating freight rates. And yet it is most appropriate that this astounding statement should come from one of those blest in large measure with this world's goods. The gentleman wears the robes of wealth becomingly, and is modest with it all. This is proper. No impulse truly noble ever sprung from pride of purse. [Applause.] He ought certainly to know something of the Democratic feeling on this and other questions that affect the people, as well as the Republican feeling, because the gentleman, if my recollection serves me aright, has been in both parties, and he certainly ought to know what they stand for and how they feel. [Laughter and applause on the Democratic side.] Why, the gentleman says, "Whence comes this cry for rate regulation?"

I will ask the gentleman to go and read the printed pages of your Interstate Commerce Commission. Every year they are urging this body, they are clamoring at the door of this House and begging Congress and the President of the United States to give them some power, so that they may answer the demands for rate regulation in this country. Can it be that the gentleman is deaf and does not desire to hear a demand of this character? He speaks of "this unprecedented haste." Millions and millions of dollars, Mr. Chairman, the transportation companies have plucked from the purse of the people during the nine years that the Commission has been without power. [Applause.] Commercial bodies are petitioning this body, the shippers in the gentleman's [Mr. SIBLEY] own State have petitioned this body, have asked it to do something to give them relief.

Not only that, but petitioners in every State in the Union are asking this body to do something. And let me now make a little prophecy to the gentleman. You should have settled this question in the Fifty-eighth Congress. You had the opportunity to settle it, but you would not. It went into the tomb at the other end of the Capitol. They had a committee sitting during the recess. I call it a delay committee. If you will read the testimony taken before that body it will impress you with the idea that the chairman of that committee is hard to enthrone on the matter of regulating railroads. [Applause and laughter on the Democratic side.]

Before that body, Mr. Chairman, Governor Cummins, from Iowa, testified. In a speech when he returned to his home he said that a mighty and powerful railroad lawyer sat by the chairman and suggested nearly all the questions that were put to him by the chairman, and he said they cross-questioned him as though he was a witness on the stand in court. Investigating in the interest of the people! God save the mark! [Applause on the Democratic side.]

But let me finish. That bill died in the Senate. This bill may die in the Senate. If so, I want to tell you that the patience of the American people has about reached its limit.

When the fall elections are over this year, there will be more Democrats occupying your places than there are now, because

the Republican party is responsible for the failure to give the people relief, and you can not fool the people by passing it in the House and letting your party kill it at the other end of the Capitol. [Applause on the Democratic side.]

The people are aroused on this question, Mr. Chairman. Why, if the gentleman [Mr. SIBLEY] will go out and get in touch with the people he will find what they want. "Unprecedented haste!" This is a remarkable statement for the gentleman to make, with petitions coming here just literally flooding this House, petitions coming from nearly everybody except those that the railroads can control. You will see a convention assemble at their bidding and it will petition you not to do anything to disturb the railroads. That shows you what a tremendous power the railroads have and exercise. I have no prejudice against the railroads. I trust that I am in a position to do what is right, and right is right, as God is God, it matters not who is affected, the private citizen or the greatest corporation in this country.

The gentleman from Michigan [Mr. TOWNSEND] has truly said this question will not down. I now wish to call attention to what many of the shippers have to say upon this question of railway-rate regulation. No trust or extremely large corporation, but every name is a representative one in the commercial world. These concerns are large shippers of freight. Hence with them the question of fair rates and just practices is not a theory. They furnish the railroad income; they pay the freight.

Arkansas says:

While we are not antagonistic to the railroads, we should have some means of settling just propositions and not be held up as we are upon one pretense and another.

A voice from the Indian Territory says:

These unjust discrimination and abuses in freight rates have bankrupted many good men and prevented the development of many a rich section of the country.

From Kentucky comes the cry for relief from unjust freight rates, unfair practices, and discriminations on the part of common carriers. A voice from Massachusetts wants prompt action and substantial justice when differences arise between the shipper and the railroad. Minnesota expresses the hope that something may be done in the matter of freight transportation. Mississippi, feeling the sting of unjust discrimination and rebates, cries out for equal advantages for freight rates, and hear what Missouri has to say:

The abuse of rates, drawbacks, special privileges, and special concessions to some shippers has grown to such an extent that some remedy should be applied at once in order to bring justice to all alike.

Continuing, it declares:

This problem was never worse than at the present time. In all our experience in the grain business, we have never known the time when the offenses were so flagrant. The people are sorely in need of more prompt adjustment of the transportation difficulties which beset the shippers of this country.

A voice from New York proclaims that—

The small shipper is at the mercy of the railroads. Discriminations are practiced from which appeals to the railroads are in vain. We are losing trade, especially in the South, by the enormous freight rates lately raised. The carriers have had full sway for many years and have proven their profits by their annual reports, which come out of the freight producer. The tariff as it now stands is unjust, and the matter of rate correction and overcharges should be corrected.

North Carolina says:

Something ought to be done to relieve the people from unjust freight rates.

And listen to Ohio:

Traffic abuses must be rectified; shippers everywhere are asking relief at the hands of Congress.

Hear the cry from Pennsylvania:

Present freight rates are out of all proportion, and there should be some interference by the Government.

Tennessee joins in the demand for deliverance from high rates and irregularities in freight matters.

Texas declares that she is in favor of some stringent means of controlling freight rates. The Interstate Commerce Commission, she declares, should not only have the right and authority to make rates, but to enforce them as final.

West Virginia, the home of Senator ELKINS, complains of unjust rates, discriminations in freight rates, and begs Congress to do something to end the evil.

Connecticut says, in the matter of freight regulation, that something should be done, and done without delay.

But—

She declares—

there will no doubt be an immense amount of opposition against it from the great railroad corporations.

Florida declares that the regulation of freight rates is a piece of much-needed legislation. Hear what Indiana has to say:

She declares absolutely and unqualifiedly in favor of Government control of railroads.

Kansas takes her place alongside her sisters in the demand for fair play and honest freight rates and declares that discrimination, unjust rates, and unfair practices, which now figure so conspicuously in railway transportation, must be removed.

Louisiana lifts her voice in solemn demand for transportation adjustment. Maryland emphasizes the fact that discriminations in the traffic in this country is an enormous amount and should be punished by law.

A voice from Michigan bears testimony to the fact that the people of this country need adequate and prompt relief, for we are now confronted with serious delays between shippers and railways, and urges that the judges or Interstate Commerce Commissioners should not be allowed to accept any favors from the railroads in the shape of passes or other things of value.

Hear what Virginia has to say:

When we come to appreciate that probably 10 per cent of the value of all commodities grown, mined, and manufactured is paid out for transportation we see what an enormous amount of money is paid out in freight, and the people are entitled to some part in establishing and maintaining rates on this immense traffic.

A voice from Wisconsin declares the freight abuses and rates and discriminations given to favored shippers should be remedied, as they operate seriously against the unfavored shipper and are not a fair deal.

Alabama cries out against unjust rates, rebates, and discriminations that bear heavily not only upon the shipper, but upon the small merchant, the large merchant, the producer, and the consumer; for every man who buys farm implements, machinery of any character, or food and raiment pays part of the "rate tax."

The gentleman from Pennsylvania [Mr. SIBLEY] makes an eloquent appeal to do nothing to disturb the railroads. He fears that socialism will seize upon the throat of this Government, and quotes from some little fellow—I hardly know how to class him—prating about a division of property. Why, those things have been written about since the foundation of the world. An idea like that, afloat in the mind of some man out yonder, has nothing to do with this question, and no man in this body will ever believe in such doctrine as that. It is not strong enough to hold up before the mighty march of the representatives of the people in this land at a time like this to deter them from doing what they believe to be right. They are going to see to it that something is done. But I will tell the gentleman how to keep down socialism; I will tell him how to keep down anarchy.

Enforce the law against the mighty rich as well as you enforce it against the uninfluential poor. Lay the hand of criminal prosecution upon the back of Dives in his purple and fine linen as you do upon the Lazarus who wears the tattered garments of poverty and want and you will keep down socialism and anarchy. [Applause.]

I can not think that the gentleman is much alarmed. He talks about wringing every dollar in taxes out of large concerns. Mr. Chairman, it has been my observation (and I have served upon the assessment board as secretary of my State) that the man of comparatively small means bears the burden of taxation everywhere.

One of these gigantic concerns can give in its property at \$50,000 that may be worth millions, and the tax assessors know nothing about the value of it. But the man holding property in sight, like land or mules, the assessors can get at the value of them. And so I say that the man of small means, with his goods in sight, the simple things in life, bears the burden of taxation to-day.

The gentleman from Pennsylvania says that the railroads have been "groping" their way under tremendous difficulties. Mr. Chairman, they have the best eyesight for fellows groping in the dark that I ever saw [laughter], for they never fail to put their hands properly on the fellow who has produce to ship, and if you read the figures in the columns at the end of the year in their reports you will agree with an editorial that appeared in a London paper in October, which said that if they were let alone a little while longer they would have all the capital they need now or would need. I agree with that; but while this railroad enrichment is going on what will become of the producer, the shipper, and the consumers all over the country?

We do not want to harm any legitimate enterprise; but we do want, as the President sometimes says, "a square deal." The President is a man with some noble impulses. He gets right occasionally, and he has got a good ear for the ground. [Laughter on the Democratic side.] He can hear the mutterings and rumblings below. He is the best politician in his party. He sees the people marching, and hears the tramp of the multitude in this Government and knows what it means, and he straightway writes a message to this body, and he says:

"Regulate the railroads." [Applause on the Democratic side.]

The gentleman from Pennsylvania [Mr. SIBLEY] has had the courage to say, "You Democrats are entitled to all the credit for this movement." He is giving us back our own. We are entitled to it, we started it, and we will keep it up. The Republicans advocate things on the stump that they forget when elected to office.

Bees, on flowers alighting, cease their hum,
And Republicans in office soon grow dumb.

[Laughter and applause.]

The gentleman from Ohio [Mr. GROSVENOR] said not long ago that the spirit of Bryan permeates the party as no other man has ever permeated it since Jackson's day. Why is this? A young man called upon Senator Hoar and asked what he would advise him to read. Senator Hoar said, "Read the lives of Jackson, Jefferson, and Washington, and men who have stood for something." That is why the spirit of Bryan permeates not only our party but the mass of your party—because he is a man who stands for something. [Applause on the Democratic side.]

The gentleman from Pennsylvania [Mr. SIBLEY] says this bill has the indorsement of Bryan and HEARST. I suppose that would go a long way toward making him oppose the measure.

The question was asked the other day in the Senate, "Do you think Bryan will be the next Democratic nominee for President?" We do not know who will be the next nominee, but he will be a man who stands for something and who has talked for something [applause on the Democratic side]; and if Mr. Bryan is the nominee, a man whose every heart throb is loyal to the masses of the people, pampered by no power, and pensioned by no class, if he does come into the White House he will break down the trust idols in the temple of liberty as Daniel of old broke the gilded images of Babylonish idolatry. [Applause on the Democratic side.]

Why, the gentleman [Mr. SIBLEY] says, "You are going into the Government business of regulating things." Does not the Government say to-day to the private citizen and to the banker how much interest his dollar shall earn in a year when he loans it out? Does not your law in every State in the Union limit the earning capacity of the dollar of the bank or of the private citizen when it is loaned? Does not the Government regulate national banks and send your inspector four times a year announced and one time unannounced to investigate and inquire into the funds? Do we not do these things with these interests? If so, are the railroads too sacred to have themselves investigated and regulated in the spirit of fairness and justice?

Mr. JAMES. I might suggest to the gentleman that they let the national banks have the money without interest.

Mr. HEFLIN. Yes; they use the money of the people without interest, and this is very wrong. A shrewd English engineer once said, and said truly, where combination is possible competition is impossible. Talk about Government ownership of railroads! If it ever comes it will be forced by the Republican party and the railroads—forced by the Republican party because the people will wear out their patience waiting for you to aid in regulating them; forced by the railroads because they defy the authorities of the country and charge any rate that they please. In the hearings before the Interstate Commerce Committee in the Senate the consumer and the producer were very cunningly left out, and the issue was undertaken there to be confined exclusively to the shipper and the carrier.

Now, this bill provides that the Commission shall declare—and that is a good feature in it, the best feature in it—what is a reasonable rate. Why, it is the sheerest foolishness in the world that a commission should be armed and equipped with the power to declare a rate to be unreasonable, and yet not allowed to say what is a reasonable rate. Another thing, this bill provides that the Interstate Commerce Commission shall order monthly reports from railroads, if they see fit to do so.

The gentleman [Mr. SIBLEY] read from an editorial in the Post that Democrats were favoring "centralization of power." Well, that is the newest thing that I have heard, Mr. Chairman. It takes all that the Democrats can do to keep the other side of the House from surrendering all the power to the nation and taking all away from the States. The Democratic party is opposed to giving up the rights of the State. This bill provides that the intrastate rate shall be regulated by the State authorities, and I like the bill because it does recognize that we still have States in the Union. It gives to the people at home the right to regulate their transportation facilities. I will show you where you Republicans violate States rights. You have got it on your statute books now that if a man is killed by a transportation company in his own vicinity, in the county and in the State where he was born, reared, and lived, and his relatives sue in the State court for as much as \$2,000, you reach in with the hand of Federal interference and with a motion take

it out of that court and put it in a Federal court, where your judges have their pockets full of free passes.

You can sue for nineteen hundred and ninety-nine dollars and ninety-nine cents, and you can keep it in the State court, but the minute you reach \$2,000 they reach down and say "That is mine; we will transfer that to a Federal court." Why this injustice, let me ask you? Now, Mr. Chairman, I would suggest that this bill ought to provide that no Federal judge should ride on free passes. I do not believe that a man sitting on the bench trying the rights between man and man, with power in his discretion to do this or that favor to this or that party, ought to have himself saved thousands of dollars of railroad expenses by having passes in his pockets. [Applause on the Democratic side.] Put that provision in here and keep your judges from having these passes. What else? I would provide that no judge on this Interstate Commerce Commission should accept a free pass, and I would provide more than that, that they should not have any interest, directly or indirectly, in any railroad stock in the country. I would change the salary; I would put it back like it is now. I would make another change in it. It has some good provisions, and I am going to support it. I would provide that the railroad had to report to this Interstate Commerce Commission every dollar of interest that they own in any property in the Government every year.

It is unfair for them to enjoy the privileges that they enjoy today—the right of eminent domain, and all this hedging about by the law—that you and I do not enjoy, that the producer and the shipper do not enjoy; to allow them to come in competition with you through their productive utilities, showing favors to themselves. What is to prevent them from getting their grain into the market first? They own all the transportation facilities. Let the bill provide that they shall give every year a detailed statement of every dollar that they own in any utility in the Government. Let us see how the combinations are worked; let us see how many wheels are working within wheels—make a full investigation of this matter. Another thing. Mr. COOPER of Wisconsin asked the gentleman from Pennsylvania if he did not think it was right to say what the street cars in the District of Columbia should charge. Of course it is right. I will tell you another provision that your bill ought to contain. Force your street-car companies in this city to furnish separate cars or separate compartments for negroes and whites. [Applause on the Democratic side.] That is what you ought to do. Do away with the spectacle of having your white men and negroes riding in the same car; remove forever from the capital of your nation the offensive and distasteful spectacle of seeing negroes crowded into the cars and your ladies standing in the aisle holding onto the straps above their heads. [Applause on the Democratic side.]

What will you do about the Pullman cars? Put in a provision requiring them to have separate compartments or separate cars for negroes when they ride over the country in your sleeping cars? Many of you favor that just like I do. [Laughter.] But you have got some constituents of whom you are possibly afraid. The possession of this power, Mr. Chairman, that this bill holds will make the railroads cautious at least. It will be a restraining influence to say what is a reasonable rate. It does not hold, however, a proposition that I would like to see in it, but it is a step in the right direction.

The bill provides that the rate shall go into effect thirty days from the time that it is fixed. It will affect us injuriously, because the cotton crop will be moving in the fall, and they can haul a great deal in thirty days. It is also true with the people in the West, with grain. The rate should go into effect at once. Giving the Commission power to enforce its order is another feature that ought to be in the bill.

When the Commission issues an order to the railroad and the railroad fails to carry out that order, give it the power to bring the railroad official in and punish him for contempt. Give it the power to send the railroad official to the penitentiary. Add an imprisonment clause, and then you will make them respect the law. Make these men respect the law, as you make the humblest citizen respect it.

We are proud, Mr. Chairman, of all the legitimate industries in our country. We want to encourage everything that contributes to the strength and glory of the Republic. Ours is the only nation whose highest judicial authority has declared it to be a Christian nation—the only nation that sets apart a day of thanksgiving to God. "We will not despair of the Republic," employing the phraseology of another, "so long as against the ills of evils we hold the remedy of right." While we are producing material wealth let us pay some attention to the men and the women that we are producing. The nation wants men, "large-hearted, manly men, men who will join her chorus and

prolong the psalm of labor and the psalm of love." Let us return to that old-time simplicity of the fathers—

When all were for the state,
When the rich man helped the poor man,
And the poor man loved the great.

God hasten the day when East and West and North and South shall all work for the good of each and each for the good of all. Rich in the heritage of history, proud of our splendid present, resplendent in the glow of conscious strength, we are happy in the rosy promise of a glorious future. When the Democrats get back in power and regulate these economic institutions and arrangements in the interest of the great mass of the people and strike off the hand that holds up the producer and the hand that robs the consumer we will exclaim: "Land of our fathers, through thy length and breadth a tremor passes. Look! The dark is done, and on thy proud form shines the splendor of the sun. Thine own children with heads erect and light on all their faces are happy in the triumph of Democracy's creed!" [Loud applause.]

Mr. HEPBURN. Mr. Chairman, I yield to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman, in my judgment the measure which we are now considering is the most important matter that has presented itself to this Congress. In my judgment it is one of the most important measures that any Congress has been called upon to consider during the past quarter of a century. It brings us face to face with the question whether or not our National Government should assume any degree of control over any industrial organization; and if so, under what conditions. Whether or not we may enact a rate bill is essentially, then, only a part; however, a highly important part of a still greater question.

The province of government does not find limitation in our day in the mere protection of individuals against wrongs or threatened wrongs of those who are physically of greater strength. That was largely the province of the headman of the tribe among those peoples who were our ancestors. It was the duty of the people to support him in that power. That system of government may have been the most perfect in its time. It may have met all purposes required at a time when the needs of a people's life were limited to daily wants, when foods were plucked from bending branches or felled by bow and arrow in the forest, when clothing was in large part the skins of animals, and every man was the rude builder of his home, his own clothier, his own farmer, his own laborer in the supplying of every want. Since that time innumerable steps and dire hardships, the throes of noble and lofty ambitions, have marked the progress of our race, and when our fathers wrote the Constitution for the government of our land they declared, as though by divine inspiration, the province of government not bounded by anything short of that which would bring the greatest well-being to the masses of our people.

Conditions change and legislation must keep pace with the needs of every hour, else government fails in that which it is its duty to perform. If in the industrial world an element that at one time insured fair dealing and equality has by means of new conditions become eliminated, and if by the elimination of that element, injustice will be done our people, it is the province of government to supply, if possible, by proper legislation that which will mean the perpetuation of the good and the eradication of the wrong.

COMPETITION AND ITS ELIMINATION.

Competition, in some form or other, has until recent years acted as the great equalizer in the industrial world. Maybe it was the competition between business men that insured fair prices. Maybe it was the competition of a different commodity which would serve the purpose just as well as the commodity which was originally sought. Maybe it was the competition of the old garments, the old implements, the old house, that would be still further used unless the new garments, the new implements, the new house, could be supplied at a reasonable and fair price. Competition it was, at any rate, that until the last few years acted as the great natural regulator in the marts of commerce.

But the world has moved on rapidly. Our ideals and our wants have changed. The luxuries of yesterday are the necessities of to-day. Yesterday you wore the garment from the loom that ran by hand. To-day the factories of the world supply your needs better. Yesterday you used the sickle and the flail in garnering your grain. To-day with the rhythm of the click click of a combined harvester, the clean kernels drop from waving heads and are ready to be shipped to market. Our fathers waited many months to hear the news of events that happened on the frontier of our own land. To-day the morning papers tell

of the happenings last night in the streets of Russia's capital. All this progress has come not alone by labor, not alone by the expense of energy and thought, but by the mighty cooperation and organization of wealth. And the organization of wealth it is that is destroying competition. I am not here to say that something better than competition may not be devised. I am not here to say that the combination of wealth is wrong, for the wants of an enlightened age call into use every faculty of man and every means whereby the greatest economy can be exercised in the supplying of those wants. I am here to say that the organization of wealth is wrong unless the best fruits of such organization go, not to a favored few, but to the people of our nation. They are the producers of the wealth of the world, and to them should accrue the benefits.

REGULATION MUST TAKE THE PLACE OF COMPETITION.

If competition, then, is being eliminated, it becomes the duty of our Government to supply a means to take the place of competition if it appears that the general well-being of our people so demands. Capital, at all times, has been a hard master. "Get returns" is the command that it has given to those whom it employs. And in "getting returns" the masses of our people are compelled to contribute unreasonably to capital or else go without that which the ideals of the times demand that they should have. If this, then, is true, the people themselves must do one of two things—they must either assume the ownership of noncompeting industries that have to do with the prime wants of life, or else they must control by legislation the industries referred to, that have grown so great that no competitors appear to contest the way. From the present view point Government ownership seems unwise. I am strongly convinced, however, of the wisdom of Federal or State control of these great business concerns as the condition of the industries might require, to the end that the wrongs of unbridled avarice may be abolished and organized wealth take its place beside genius and energy in supplying the world's great needs.

DEVELOPMENT OF RAILWAY INDUSTRY.

The development of the railroad industry in the United States has been phenomenal. Five times a Presidential election occurred prior to the application of steam to the navigation of boats upon our waterways. Eleven elections of President had passed by before the first railroad had been built. Since then scarcely more than three-quarters of a century have passed by, and yet our railway systems are essential to our nation's welfare. They have become the highways of commerce, the great thoroughfares of trade. The canvas-covered wagon belongs to history, and the stagecoach is making its last run. Our railroads are extending their ramifications throughout all sections. They bind the East to the West, the North to the South. They make us all neighbors. You step upon the cars at Golden Gate and in a few hours more than half a week have crossed a continent and look out upon the waters lighted by the Statue of Liberty. The annual receipts for the business that they do approximate \$2,000,000,000. Add to the value of all our imports the value of all our exports for a single year and the figure scarcely exceeds this sum. Our railroads extend 200,000 miles, and would eight times encircle the globe. The value of our lines is more than \$13,000,000,000, and our railway systems employ an army of almost 1,300,000 men. They have done more than any other industrial force for the enlightening of our people and the harmonious development of our land. Not only this, but the railroads of the United States in equipment and in management are the wonder and the admiration of the world.

INDUSTRIAL DEVELOPMENT AND GENERAL WELFARE.

We are proud of this and we have a right to be. Ours is a record unequalled by any other nation, and it reflects upon the intelligence of our people. But this is not all. We have reached the point in our development when it is time to pause. Our growth has been tremendous. By means of railroads untold wealth has been added to our nation. Now is the time for us to remember that a nation's greatness does not depend upon material wealth, nor yet upon the rapidity of industrial unfolding. Much does depend upon the equality of opportunity, equality of possibility, the general prosperity and happiness, not of the man whom wealth has favored, but of the many who toil along life's way. Unless the masses of our people are prosperous our nation can not achieve that for which it was established. That system is wrong that tends to the aggrandizement of wealth in the hands of a few and the consequent impoverishment of the many, and that system has no place in modern government.

Ill fares the land, to hast'ning ills a prey,
Where wealth accumulates, and men decay;
Princes and lords may flourish, or may fade;
A breath can make them, as a breath has made:
But a bold peasantry, their country's pride,
When once destroy'd can never be supplied.

It has been said that this deliberation means the calling of a halt to future railroad building. My answer is that if we are building right it does not mean the calling of a halt. If we are building wrong, we had better stop. Better a thousand times we prune the limbs of our industrial tree than that the strength of all go out to one rank bough and spoil the symmetry of perfect growth.

ORGANIZATION IN RAILROAD INDUSTRY.

There was a time when competition was the controlling factor in the regulation of railway rates in freight and passenger traffic. There was a time when many lines under different management covered almost all the railway mileage that is covered to-day, and necessarily in the interest of self-protection made such rates as approximated expenses incident to transportation and fair interest on the capital invested. That time has passed. The era of combination has come, and to-day not more than six or eight gigantic combinations control the policies of transportation over nearly all our miles of railway. The result is that competition has been eliminated, and in its stead has been adopted the rule of charging all that the traffic will bear. The Interstate Commerce Commission, speaking upon this question, said in its annual report for 1904:

In view of the rapid disappearance of railway competition and the maintenance of rates by combinations, attended as they are by substantial advances in the charges on many articles of household necessity, the Commission regards this matter as increasingly grave, and desires to emphasize its conviction that the safeguards required for the protection of the public will not be provided until the regulating statute is thoroughly revised.

WEAKNESS IN FORMER RAILROAD LEGISLATION.

This new condition has not come upon us in a day nor in a year. It has been the result of railroad development for many years. Almost twenty years ago Congress passed a law establishing the Interstate Commerce Commission and conferring upon it certain powers. This same law sought to place such limitations and restrictions upon our railroads as would meet the evils that were then apparent. This was legislation in a new field. The trail was not well blazed. The industrial world was experiencing a remarkable revolution. The railway itself had grown so far beyond the bounds of early days that it was no longer a mere highway, as a canal, upon which the world of shippers was free to haul its goods, but it had become the agent of the shipper as well as the highway. Ten years passed by in which the provisions of this law, rudimentary as it was, were carried out with reasonable success. In 1897 the Supreme Court of the United States cut out the heart of what had been supposed to be the law by deciding in the Maximum Rate case that the Commission did not have the power to fix a reasonable rate after it had found a rate fixed by the railroads was unreasonable.

But, sirs, this is not all. The fixing of unreasonable rates on certain articles of transportation became only one of many evils that found birth in the combination of wealth. Railroads not only fixed excessive rates upon particular articles and thereby reaped wealth at the expense of the consumer, but they recognized favored shippers, and granted them better rates than other shippers who deserved as fair consideration. Not only this, but they placed prohibitive rates upon goods of other shippers, because, perchance, a favored shipper or the railroad itself owned a commodity that it wished to sell, or, as in the case of the shippers of railroad ties referred to a little while ago by the gentleman from Pennsylvania [Mr. SMLEY], because the railroad wanted to purchase the commodity at some time for its own use and at its own price. Sections of country and cities have likewise been discriminated against.

The Elkins Act was passed three years ago and has afforded some relief. It is aimed mainly at the system of rebates and discriminations and is not sufficient there. The provisions of the law have been skillfully avoided, and clever devices have been resorted to to thwart the working of the law and the law which it amends. We could mention the "midnight schedule," where a favored shipper would be notified in advance of a certain rate on a certain day. The favored shipper would take advantage of the schedule, and before other shippers could do likewise the old rate would be established. We could mention icing and terminal charges, unreasonable charges for private cars, unreasonable division of the freight charges with a favored shipper who might own a mile or two of track, unreasonable elevator charges, and a host of other devices for increasing rates to one shipper while making the favored shipper in his line supreme.

There is probably no one who will deny that the control of oil by one gigantic combination of wealth has been brought about by means of a system of rebates that has crushed out competition in the interest of one concern. No one will deny that the amalgamation of the railroads in the anthracite coal regions has

worked havoc with the independent coal operator and placed the consumer at the mercy of one large monopoly. The cattle and sheep growers of my own State and of the West are putting outrageous assessments into the pockets of the stock combine, and you of the East are charged prices that are extortionate for the very meats upon your table. But more than this, the constant tendency, under existing law, does not augur more favorably for the consumer. The tendency is the other way. The tendency is toward the absolute control and domination of the food supplies, of the commodities essential to our daily well-being, by combinations that have no sympathy, that feel the pangs of no conscience, that know only gain.

MEETING THE PRESENT SITUATION.

How shall we meet this condition? That is the question of the hour. President Roosevelt, who is leading the thought of our nation in one of the greatest formative periods of history, has taken no uncertain stand. He deals at length with the question in his annual message to this Congress. I quote only in part:

In order to insure a healthy social and industrial life, every big corporation should be held responsible by and be accountable to some sovereign strong enough to control its conduct. I am in no sense hostile to corporations. This is an age of combination, and any effort to prevent all combination will be not only useless, but in the end vicious, because of the contempt for law which the failure to enforce law inevitably produces. We should, moreover, recognize in cordial and ample fashion the immense good effected by corporate agencies in a country such as ours, and the wealth of intellect, energy, and fidelity devoted to their service, and therefore normally to the service of the public, by their officers and directors. The corporation has come to stay, just as the trade union has come to stay. Each can do and has done great good. Each should be favored so long as it does good. But each should be sharply checked where it acts against law and justice.

The immediate and most pressing need, so far as legislation is concerned, is the enactment into law of some scheme to secure to the agents of the Government such supervision and regulation of the rates charged by the railroads of the country engaged in interstate traffic as shall summarily and effectively prevent the imposition of unjust or unreasonable rates. It must include putting a complete stop to rebates in every shape and form. This power to regulate rates, like all similar powers over the business world, should be exercised with moderation, caution, and self-restraint; but it should exist, so that it can be effectively exercised when the need arises.

The first consideration to be kept in mind is that the power should be affirmative and should be given to some administrative body created by the Congress. If given to the present Interstate Commerce Commission or to a reorganized Interstate Commerce Commission, such Commission should be made unequivocally administrative. I do not believe in the Government interfering with private business more than is necessary. I do not believe in the Government undertaking any work which can with propriety be left in private hands. But neither do I believe in the Government flinching from overseeing any work when it becomes evident that abuses are sure to obtain therein unless there is governmental supervision. It is not my province to indicate the exact terms of the law which should be enacted; but I call the attention of the Congress to certain existing conditions with which it is desirable to deal.

In my judgment the most important provision which such law should contain is that conferring upon some competent administrative body the power to decide, upon the case being brought before it, whether a given rate prescribed by a railroad is reasonable and just, and if it is found to be unreasonable and unjust, then, after full investigation of the complaint, to prescribe the limit of rate beyond which it shall not be lawful to go—the maximum reasonable rate, as it is commonly called—this decision to go into effect within a reasonable time and to obtain from thence onward, subject to review by the courts. It sometimes happens at present, not that a rate is too high, but that a favored shipper is given too low a rate. In such case the Commission would have the right to fix this already established minimum rate as the maximum; and it would need only one or two such decisions by the Commission to cure railroad companies of the practice of giving improper minimum rates. I call your attention to the fact that my proposal is not to give the Commission power to initiate or originate rates generally, but to regulate a rate already fixed or originated by the roads, upon complaint and after investigation. A heavy penalty should be exacted from any corporation which fails to respect an order of the Commission. I regard this power to establish a maximum rate as being essential to any scheme of real reform in the matter of railway regulation. The first necessity is to secure it; and unless it is granted to the Commission there is little use in touching the subject at all.

Illegal transactions often occur under the forms of law. It has often occurred that a shipper has been told by a traffic officer to buy a large quantity of some commodity and then after it has been bought an open reduction is made in the rate, to take effect immediately, the arrangement resulting to the profit of the one shipper and the one railroad and to the damage of all their competitors; for it must not be forgotten that the big shippers are at least as much to blame as any railroad in the matter of rebates. The law should make it clear, so that nobody can fall to understand, that any kind of commission paid on freight shipments, whether in this form or in the form of fictitious damages, or of a concession, a free pass, reduced passenger rate, or payment of brokerage, is illegal. It is worth while considering whether it would not be wise to confer on the Government the right of civil action against the beneficiary of a rebate for at least twice the value of the rebate. This would help stop what is really blackmail. Elevator allowances should be stopped, for they have now grown to such an extent that they are demoralizing and are used as rebates.

All private car lines, industrial roads, refrigerator charges, and the like should be expressly put under the supervision of the Interstate Commerce Commission or some similar body so far as rates, and agreements practically affecting rates, are concerned. The private car owners and the owners of industrial railroads are entitled to a fair and reasonable compensation on their investment, but neither private cars nor industrial railroads nor spur tracks should be utilized as devices for securing preferential rates. A rebate in icing charges, or in

mileage, or in a division of the rate for refrigerating charges is just as pernicious as a rebate in any other way. No lower rate should apply on goods imported than actually obtains on domestic goods from the American seaboard to destination except in cases where water competition is the controlling influence. There should be publicity of the accounts of common carriers; no common carrier engaged in interstate business should keep any books or memoranda other than those reported pursuant to law or regulation, and these books or memoranda should be open to the inspection of the Government. Only in this way can violations or evasions of the law be surely detected.

A system of examination of railroad accounts should be provided similar to that now conducted into the national banks by the bank examiners; a few first-class railroad accountants, if they had proper direction and proper authority to inspect books and papers, could accomplish much in preventing willful violations of the law. It would not be necessary for them to examine into the accounts of any railroad unless for good reasons they were directed to do so by the Interstate Commerce Commission. It is greatly to be desired that some way might be found by which an agreement as to transportation within a State intended to operate as a fraud upon the Federal interstate-commerce laws could be brought under the jurisdiction of the Federal authorities. At present it occurs that large shipments of interstate traffic are controlled by concessions on purely State business, which of course amounts to an evasion of the law. The Commission should have power to enforce fair treatment by the great trunk lines of lateral and branch lines.

The question of transportation lies at the root of all industrial success, and the revolution in transportation which has taken place during the last half century has been the most important factor in the growth of the new industrial conditions. Most emphatically we do not wish to see the man of great talents refused the reward for his talents. Still less do we wish to see him penalized; but we do desire to see the system of railroad transportation so handled that the strong man shall be given no advantage over the weak man. We wish to insure as fair treatment for the small town as for the big city, for the small shipper as for the big shipper. In the old days the highway of commerce, whether by water or by a road on land, was open to all; it belonged to the public and the traffic along it was free. At present the railway is this highway, and we must do our best to see that it is kept open to all on equal terms. Unlike the old highway it is a very difficult and complex thing to manage, and it is far better that it should be managed by private individuals than by the Government. But it can only be so managed on condition that justice is done the public. It is because, in my judgment, public ownership of railroads is highly undesirable and would probably in this country entail far-reaching disaster, that I wish to see such supervision and regulation of them in the interest of the public as will make it evident that there is no need for public ownership.

The opponents of Government regulation dwell upon the difficulties to be encountered and the intricate and involved nature of the problem. Their contention is true. It is a complicated and delicate problem, and all kinds of difficulties are sure to arise in connection with any plan of solution, while no plan will bring all the benefits hoped for by its more optimistic adherents. Moreover, under any healthy plan, the benefits will develop gradually and not rapidly. Finally, we must clearly understand that the public servants who are to do this peculiarly responsible and delicate work must themselves be of the highest type both as regards integrity and efficiency. They must be well paid, for otherwise able men can not in the long run be secured; and they must possess a lofty probity which will revolt as quickly at the thought of pandering to any gust of popular prejudice against rich men as at the thought of anything even remotely resembling subservience to rich men. But while I fully admit the difficulties in the way, I do not for a moment admit that these difficulties warrant us in stopping in our effort to secure a wise and just system. They should have no other effect than to spur us on to the exercise of the resolution, the even-handed justice, and the fertility of resource, which we like to think of as typically American, and which will in the end achieve good results in this as in other fields of activity. The task is a great one and underlies the task of dealing with the whole industrial problem. But the fact that it is a great problem does not warrant us in shrinking from the attempt to solve it. At present we face such utter lack of supervision, such freedom from the restraints of law, that excellent men have often been literally forced into doing what they deplored because otherwise they were left at the mercy of unscrupulous competitors. To rail at and assail the men who have done as they best could under such conditions accomplishes little. What we need to do is to develop an orderly system; and such a system can only come through the gradually increased exercise of the right of efficient Government control.

That is a strong message, and it voices the wisdom of our people. The committee, who have worked so earnestly and well in the preparation of the bill we are now considering, have followed as their guide the words of President Roosevelt. Let us notice, then, the provisions of this measure.

PROVISIONS OF THE PENDING BILL.

First. The bill, by definition, gives broader meaning to the word "railroad" than does the present law, and declares that word to include all switches, spurs, tracks, and terminal facilities of every kind, also all freight depots, yards, and grounds used or necessary in the transportation or delivery of persons or property. It gives broader meaning to the term "transportation," and makes that term include cars and other vehicles and all instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, express or implied, for the use thereof, and all services in connection with the receipt, delivery, elevation, and transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported. It is made the duty of every carrier subject to the provisions of the act to provide and furnish such transportation upon reasonable request therefor, and to establish through routes and just and reasonable rates applicable thereto.

Second. It is provided that every common carrier subject to the provisions of the act shall print and keep open to public inspection schedules showing the rates, fares, and charges for

the transportation of passengers and property which any such common carrier has established and which are in force at the time upon its route. The schedules printed shall plainly state the places between which property and passengers will be carried, and shall contain the classification of freight in force, and shall also state separately the terminal charges, icing charges, and all other charges which the Commission may require, and any rules or regulations which in any wise change, affect, or determine any part of the aggregate of such rates, fares, and charges. Copies of the schedules shall be placed with the Commission as soon as the schedules may be determined. They may not be changed except after thirty days' public notice, unless by consent of the Commission for good cause shown, and every change in schedule shall be promptly filed with the Commission.

Third. The bill provides that all charges made for any service rendered or to be rendered in the transportation of passengers or property shall be just and reasonable, and that every unjust and unreasonable charge for such service or any part thereof shall be unlawful. The Interstate Commerce Commission is authorized and empowered, and it is made its duty whenever, after full hearing upon a complaint, it has found that the provisions of the law for fixing rates have been violated, or that such rates are unjust or unreasonable or unjustly discriminatory or unduly preferential or prejudicial, to determine and fix a just and fairly remunerative rate or rates, charge or charges, to be thereafter observed, and such rate shall be the maximum rate that may be charged. The order for this rate shall go into effect thirty days after notice to the carrier, unless the same shall be suspended or modified or set aside by the Commission or be suspended or set aside by a court of competent jurisdiction. The Commission may also, under this bill, after hearing on a complaint, establish through routes and joint rates, and may also, in event of the failure of the joint carriers to come to an agreement, apportion the rate that each carrier shall receive. It is also provided that should the owner of property transported under this act render any service connected with transportation or furnish any instrumentality used therein, the charge and allowance therefor shall be no more than is just and reasonable, and the Commission may, after hearing on a complaint, determine what is a reasonable maximum charge to be paid by the carrier or carriers for the service so rendered or for the use of the instrumentality so furnished and fix the same by appropriate order.

Fourth. Should any carrier, officer, representative, or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, knowingly fail or neglect to obey any order made under the provisions of the law referred to before, he shall forfeit to the United States the sum of \$5,000 for each offense. Every distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense. It shall be the duty of the various district attorneys, under the direction of the Attorney-General of the United States, to prosecute for the recovery of the forfeitures, and the Commission may, with the consent of the Attorney-General, employ special counsel in any proceeding under this act, paying the expenses of such employment out of its own appropriation.

Fifth. It is further provided that if any carrier fails or neglects to obey any order of the Commission, other than for the payment of money, while the same is in effect, any party injured thereby, or the Commission in its own name, may apply to the circuit court in the district in which such carrier has its principal operating office, or in which the violation or disobedience of such order shall happen, for an enforcement of such order. From any action upon such petition an appeal shall lie by either party to the Supreme Court of the United States, and in such court the case shall have priority in hearing and determination over all other causes except criminal causes, but such appeal shall not vacate or suspend the order appealed from.

Sixth. After a decision, order, or requirement has been made by the Commission in any proceeding, any party thereto may at any time make application for rehearing of the same or any matter determined therein, and it shall be lawful for the Commission, in its discretion, to grant such a rehearing if sufficient reason therefor be made to appear. After such rehearing and the consideration of all the facts, including those arising since the former hearing, if it shall appear that the original decision, order, or requirement is in any respect unjust or unwarranted, the Commission may reverse, change, or modify the same accordingly. Whenever an order of the Commission made in pursuance of the law, other than an order for the payment of money, shall have been complied with for three years, such order shall not thereafter be in force as against the carrier so complying therewith.

Seventh. The Commission is authorized to require annual

reports from all common carriers subject to the provisions of the law and from the owners of all railroads engaged in interstate commerce, to prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of annual stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipments; the number of employees and the salaries paid to each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the accidents to passengers, employees, and other persons, and the causes thereof; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balance of profit and loss, and a complete exhibit of the financial operations of the carrier each year, including an annual balance sheet and other information that the Commission may require. The Commission may prescribe the forms of any and all accounts, records, and memoranda to be kept by the carriers subject to the provisions of this act, and all such records shall be open for inspection at all times to the members of the Commission. Suitable penalties are provided for failure to comply with the provisions of the act.

Eighth. It is provided that the Commission shall be increased from five to seven members, that the salary of each Commissioner shall be \$10,000 per year, and that each member shall be appointed for a term of seven years. Not more than four members of the Commission shall be appointed from the same political party.

DISCUSSION OF SOME OF THE PROVISIONS.

This, Mr. Chairman, covers the general scope of the pending bill, and, in my judgment, this measure strikes at the heart of existing evils. The sections of the bill giving broader meaning to the terms "railroad" and "transportation," so that they shall include, as I have pointed out, terminal facilities, and the necessary means of accommodation in transit will very largely do away with the possibility of secret rebates of all kinds. And, after all, this is the most pernicious evil that confronts us, as we take up the shipping question. Freight rates and passenger rates may be too high. Whole sections of country may suffer, and the people of communities may be compelled to deny themselves the pleasures that they desire, or indeed the comforts that they should have, but so long as the burden rests upon the shoulders of all alike, the people will support the burden with great degree of patience.

This evil, great as it may be, does not compare with the evil of granting such concession to privileged concerns, as will enable them to flourish and grow strong on the loss of their competitors, and in the end maybe bring ruin to their doors. What would we think of a system of government that would permit the tax collector to return to favored persons the taxes, or one-half the taxes, that they had paid? This question is propounded to me in a letter which I have received to-day from one of my constituents, and my correspondent, who is a thoughtful man, asks, then, if the rebate system is not as pernicious as the system he proposes would be, and if, indeed, the case that he suggests is not parallel to the giving of rebates to favored shippers. I believe that he is right, and I hope that the first day this bill becomes a law, for I believe it will become a law, will bring the day when that enormous wrong shall be crushed out forever.

MAY DETERMINE THE MAXIMUM RATE.

The Commission, should this measure pass, will have the power not only to determine what is an unreasonable or unjust rate, but also the power to say what rate shall stand as the maximum rate that may be charged. This provision will help individuals, and it will help communities. It will tend to equalize charges. Let me give an illustration. If the rates that are being charged for hauling freight from eastern points to Seattle and Portland and other points in the Northwest, three or four hundred miles beyond Spokane, Washington, Lewiston, or Boise, Idaho, or Pendleton, Oreg., are just and fair, manifestly the rates that Spokane and Lewiston and Boise and Pendleton pay are unreasonably high. A railroad can not long conduct its business when it is losing money. If the railroads are losing money on the greater run, then one thing is plain, the people who support the cities of Spokane and Lewiston and Boise—all the people of the great inland empire, as we call that section—are paying the freight for the people who live still farther west. If the railroads are not losing money in handling the traffic of the longer run—and I do not believe they are—then the people of my own State are being done a greater wrong, for the money

that they contribute is being paid not to aid others of our citizens who are building up neighboring commonwealths, but to increase the wealth of companies that are already making fair returns on their capital invested. It will not do to say that the coast cities, having water competition, are therefore entitled to this unfair advantage. The fact is, the rates of the inland country are unreasonably high. I could cite still other illustrations where industries and sections of other States are being discriminated against in behalf of other favored industries and favored sections. I hope that this wrong will be avoided by the passage of this bill.

The other provisions of the bill tend in the main to the carrying out of the provisions to which I have referred. The publicity required in the making of schedules and in the keeping open of the books of the railroads will undoubtedly prove a powerful aid in the enforcement of the law. The penalties that have been prescribed are severe, and that which is as essential as penalties in case of violations of the law is speediness with which trials may be had. The feature of the bill which clears the way for consideration of cases and their determination by the Supreme Court of the United States prior to any other matters except criminal cases is one of the strongest elements of the bill.

NEED OF SPEEDINESS IN LITIGATION.

There is one other thing in this connection that I am not certain should have been provided. President Roosevelt, in his annual message from which I have already quoted, says further:

I urge upon the Congress the need of providing for expeditious action by the Interstate Commerce Commission in all these matters, whether in regulating rates for transportation or for storing or for handling property or commodities in transit. The history of the cases litigated under the present commerce act shows that its efficacy has been to a great degree destroyed by the weapon of delay, almost the most formidable weapon in the hands of those whose purpose it is to violate the law.

We have already taken one step looking to the prevention of this delay, but I believe the bill would be a stronger bill if there had been provided a separate court to hear appeals from the Commission and from which appeals would lie direct to the Supreme Court. The greatest weakness in the American judicial system to-day is the tardiness with which justice is meted out. This is true in part because the calendars of our courts are overcrowded and our jurists overworked. By requiring the circuit courts of the United States to hear appeals from the Interstate Commerce Commission you require each circuit judge to preside in a class of cases where erudition in the law counts for much, but where technical learning in the thousand intricate questions pertaining to railway transportation counts for more. A separate court would develop a class of judges that would aid the people of the country by the promptness with which the provisions of the law would be defined and applications made. Why, the transportation industry is an enormous business. Five and three-quarter millions of dollars represent the gross receipts of the railroads of the United States for every day throughout the year for freight and passengers handled—\$240,000 every hour. You can hardly follow the enormity of figures. The cost of maintaining such a court would be infinitesimally small compared with the values that might be involved, while the good the court would do would, in my judgment, be incalculably great. The enforcement of a bad law caused the shippers of cattle and sheep in Idaho a loss of \$150,000 in 1905.

The prompt decision of a single case affecting the shipment of cattle or sheep or grain from a section of country limited to my State alone might mean the saving in a single year to the people of that section an amount equal to many times the cost of maintaining the court which I suggest. I mention this to call attention to the importance of prompt decisions where the rights of individuals and communities are at stake and when great interests are involved that affect the humblest as well as the most powerful citizen within our land. This idea is not a new one. Provision for such a court was made in the original bill—last session—of the chairman of the Committee on Interstate and Foreign Commerce [Mr. HEPBURN], but the majority of that committee have decided not to include provision for such a court in the measure which they have reported. Time alone will tell us which idea should prevail. This we know: The members of that committee have been actuated by patriotic zeal and lofty courage in bringing forth a bill which they believe will assure that measure of relief for which the people of our country are crying out to-day.

There are a few other modifications that I would make, but probably there is no Member of this body who would not change a line here and add a word there, if it were in his power so to do. Aye, the measure does not represent the exact thought of

any member of the committee that prepared the bill. It is a compromise, but in the main it does represent my wish, and in the main it represents what I believe to be the wish of the Members of this body.

CONSTITUTIONALITY OF PENDING BILL.

There are some who tell us that this measure if enacted into law will fall before the Constitution. Against that statement there is little that I care to say. First of all, the constitutionality of the question can not be determined by any branch of our Government other than our judiciary. In the next place, if legislation similar to this is not in accordance with our Constitution, we want to know wherein it falls, and we want the question to be determined within the earliest possible time. If our Government is so limited under the Constitution that it can not control monopolistic wealth, then must our Constitution itself be modified that the rights of our people may be preserved. I believe, however, that the provisions of this bill will come within the scope of our Constitution. I believe from what examination I have been able to give this phase of the question that the Supreme Court has spoken in many cases upon the propositions here involved. Following out this idea, I want to call your attention to the letter of May 5, 1905, of Hon. William H. Moody, one of the ablest Attorney-Generals our country has ever had, and the present occupant of that high office. The letter is addressed to Hon. STEPHEN B. ELKINS, chairman of the Committee on Interstate Commerce, United States Senate, in response to the request of the committee for the opinion of the Attorney-General upon this question. Mr. Moody cites a long series of cases that are most interesting, and at considerable length he expresses his own views upon the constitutionality of this question, and, in my judgment, his opinion warrants us in attempting the legislation which is here proposed. At the conclusion of the letter the opinions of Mr. Moody are summed up as follows:

1. There is a governmental power to fix the maximum future charges of carriers by railroads vested in the legislatures of the States with regard to transportation exclusively within the States, and vested in Congress with regard to all other transportation.
2. Although legislative power, properly speaking, can not be delegated, the lawmaking body, having enacted into law the standard of charges which shall control, may intrust to an administrative body not exercising in the true sense judicial power the duty to fix rates in conformity with that standard.
3. The rate-making power is not a judicial function and can not be conferred constitutionally upon the courts of the United States, either by way of original or appellate jurisdiction.
4. The courts, however, have the power to investigate any rate or rates fixed by legislative authority and to determine whether they are such as would be confiscatory of the property of the carrier, and if they are judicially found to be confiscatory in their effect to restrain their enforcement.
5. Any law which attempts to deprive the courts of this power is unconstitutional.
6. Any regulation of land transportation, however exercised, would seem to be so indirect in its effect upon the ports that it could not constitute a preference between the ports of different States within the meaning of Article I, section 9, paragraph 6, of the Constitution.
7. Reasonable, just, and impartial rates determined by legislative authority are not within the prohibition of Article I, section 9, paragraph 6, of the Constitution, even though they result in a varying charge per ton per mile to and from the ports of the different States.

Here I shall end my inquiry prior to the vote that I shall record. It is sufficient to warrant that vote, and it is sufficient to support the belief I have that this measure will be upheld by our courts, deciding as they must, under the Constitution of the United States, the instrument that marks the bounds of all our legislative acts.

A WORD IN CONCLUSION.

Another word and I have done. We have witnessed, Mr. Chairman, the tremendous development of this great country of ours. We have seen our nation take front rank among the nations of the world, and we are proud of our success. No nation was ever great whose people were not bound together by splendid public highways. The mighty product of American genius, which more than any other industrial factor has contributed to the building of our cities, the expanding of our industries, the populating and developing of our several Commonwealths, is the American railroad. A rude beginning only eighty years ago, the American railway soon found itself essential to our progress. Cities vied with each other in donations to railroad building. Counties bonded themselves for sums greater than they could bear. States gave liberal encouragement, and some of them to their financial loss. The National Government itself, realizing the importance of thoroughfares of commerce, appropriated 190,000,000 acres of virgin land that railroads might assume the responsibility of extending their lines with the progress of the pioneer, and it has been written down as one of the great events of the first century of our nation, the driving of the last spike in the first railway across the American continent. That was only a little while ago; but with the tremendous power of American genius, the railway

systems have been extended, and they have contributed their full share to the building of our greatness.

The railroads are to-day quasi public institutions. Within and dependent upon our Government, they are yet essential to its well-being. Their capital is tremendous and their income every year is more than three times as great as the income of the United States. But this is not the only way that they are powerful. You have no farm so beautiful but that the railway may extend its lines across your fertile fields. You have no home so humble or so great but that the railroad may lay its tracks beside your door. Aye, the cemetery in yonder vale is not immune, but through its plats the railroad plows its way, if perchance that course would serve its purpose best. You can not say it nay. Theirs is the power of eminent domain, and that power is coextensive with the public welfare. More than this, by means of organization they have for the most part eliminated competition, and to-day our 80,000,000 people are dependent upon the wishes of a few men who control the railway systems, save only as inadequate laws furnish scant protection.

Individual States have done something, and yet if all the States controlled the commerce within their bounds the Federal Government would still be left its task to do, for twenty times the commerce within the States the States can not control. It is interstate commerce and can be reached alone by the laws of our National Government. If, then, competition in any industry has been well-nigh eliminated by means of the amalgamation of wealth, if an industry has grown so great that it has become in part a public institution, if the franchises granted it waive the rights of the individual that the general public may thereby be better served, then it becomes our right, aye, more than our right—it becomes our duty to make such laws as will give to the people generally the protection that they deserve. Organization of wealth is right when the best fruits of such organization go, not to a favored few, but to the masses of our people—the bulwark of our nation's strength. [Applause.]

Mr. HEPBURN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. VREELAND, 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. 12987—the railroad rate bill—and had come to no resolution thereon.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 538. An act for the relief of Mr. Charles T. Rader—to the Committee on Private Land Claims.

S. 3318. An act to allow the entry and clearance of vessels at San Luis Obispo, Port Harford, and Monterey, Cal.—to the Committee on Ways and Means.

Senate concurrent resolution 4:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to inquire into the advisability of establishing a harbor of refuge by the construction of a breakwater on the island of Nantucket, Massachusetts, at or near the westerly side of Great Point, for the purpose of providing better protection for commerce and the lessening of the perils of navigation to coastwise traffic in the adjacent waters—

To the Committee on Rivers and Harbors.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 5023. An act granting an increase of pension to August Westfield.

STATEMENT OF APPROPRIATIONS.

Mr. TAWNEY. Mr. Speaker, I submit a resolution and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Minnesota [Mr. TAWNEY] asks unanimous consent for present consideration of a resolution, which the Clerk will read.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury is hereby requested to furnish for the use of the House the following information:

1. Statement of appropriations for permanent specific and indefinite objects, giving titles and dates of facts of appropriations and reference to statutes.

2. Statement of appropriations for permanent specific and indefinite objects proposed to be repealed by House bill 8991, Fifty-ninth Congress, first session, and the expenditures therefrom during the fiscal years 1904 and 1905.

3. Statement of appropriations for permanent specific and indefinite objects not repealed by House bill 8991, Fifty-ninth Congress, first session, and the expenditures therefrom during the fiscal years 1904 and 1905.

4. Whether in his opinion said House bill 8991 should be enacted with or without amendment.

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

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

Mr. HEPBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 1 minute p. m.) the House, in accordance with the previous order, adjourned until to-morrow, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred by the Speaker as follows:

A letter from the vice-president of the Anacostia and Potomac Railroad Company, transmitting the annual report for the year ended December 31, 1905—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the City and Suburban Railway Company, transmitting the annual report for the year ended December 31, 1905—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Washington Railway and Electric Company, transmitting the annual report for the year ended December 31, 1905—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Brightwood Railway Company, transmitting the annual report for the year ended December 31, 1905—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Georgetown and Tenallytown Railway Company, transmitting the annual report for the year ended December 31, 1905—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 10697) providing for the issuance of patents for lands allotted to Indians under the Moses agreement of July 7, 1883, reported the same without amendment, accompanied by a report (No. 739); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LLOYD, from the Committee on the Territories, to which was referred the bill of the House (H. R. 13674) to amend an act entitled "An act to amend an act entitled 'An act to supplement existing laws relating to the disposition of lands, and so forth, approved March 3, 1901,' approved June 30, 1902," reported the same without amendment, accompanied by a report (No. 741); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 12845) to consolidate the city of South McAlester and the town of McAlester, in the Indian Territory, reported the same with amendment, accompanied by a report (No. 742); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. AMES, from the Committee on Pensions, to which was referred the bill of the House (H. R. 1912) granting a pension to Julia A. Powell, reported the same with amendment, accompanied by a report (No. 696); which said bill and report were referred to the Private Calendar.

Mr. MACON, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2114) granting an increase of pension to Benjamin Bibb, reported the same with amendment, accompanied by a report (No. 697); which said bill and report were referred to the Private Calendar.

Mr. AIKEN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2709) granting an increase of pension to Julius D. Rogers, reported the same with amend-

ment, accompanied by a report (No. 698); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2703) granting an increase of pension to Stephen Weeks, reported the same with amendment, accompanied by a report (No. 699); which said bill and report were referred to the Private Calendar.

Mr. DICKSON of Illinois, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3220) granting an increase of pension to Sarah Johnston, reported the same with amendment, accompanied by a report (No. 700); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4403) granting a pension to John H. Pepper, reported the same without amendment, accompanied by a report (No. 701); which said bill and report were referred to the Private Calendar.

Mr. BENNETT of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5711) granting a pension to Richard H. Kelley, reported the same with amendment, accompanied by a report (No. 702); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6137) granting an increase of pension to Henry S. Stowell, reported the same with amendment, accompanied by a report (No. 703); which said bill and report were referred to the Private Calendar.

Mr. HOGG, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6400) granting a pension to Harry W. Omo, reported the same with amendment, accompanied by a report (No. 704); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7628) granting an increase of pension to Lorenzo D. Stoker, reported the same with amendment, accompanied by a report (No. 705); which said bill and report were referred to the Private Calendar.

Mr. BENNETT of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8216) granting an increase of pension to Philipp Cline, reported the same with amendment, accompanied by a report (No. 706); which said bill and report were referred to the Private Calendar.

Mr. MACON, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8376) granting an increase of pension to Mary J. McConnell, reported the same with amendment, accompanied by a report (No. 707); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8494) granting an increase of pension to David A. Jones, reported the same with amendment, accompanied by a report (No. 708); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8939) granting an increase of pension to Sarah A. Chauncey, reported the same with amendment, accompanied by a report (No. 709); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8949) granting an increase of pension to Albert Richard Clark, reported the same with amendment, accompanied by a report (No. 710); which said bill and report were referred to the Private Calendar.

Mr. DICKSON of Illinois, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9077) granting an increase of pension to Samuel Engle, reported the same with amendment, accompanied by a report (No. 711); which said bill and report were referred to the Private Calendar.

Mr. AIKEN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9351) granting an increase of pension to Marie Graves Bonham, reported the same with amendment, accompanied by a report (No. 712); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9651) granting an increase of pension to C. S. Word, reported the same with amendment, accompanied by a report (No. 713); which said bill and report were referred to the Private Calendar.

Mr. DICKSON of Illinois, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10476) granting an increase of pension to Charles T. Hesler, reported the same with amendment, accompanied by a report (No. 714); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10741) granting

an increase of pension to Thomas Clark, reported the same with amendment, accompanied by a report (No. 715); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10789) granting a pension to David Wilborn, reported the same with amendment, accompanied by a report (No. 716); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10967) granting a pension to George Larson, reported the same with amendment, accompanied by a report (No. 717); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10969) granting an increase of pension to C. G. Tucker, reported the same with amendment, accompanied by a report (No. 718); which said bill and report were referred to the Private Calendar.

Mr. AIKEN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11416) granting an increase of pension to Lizzie Belk, reported the same with amendment, accompanied by a report (No. 719); which said bill and report were referred to the Private Calendar.

Mr. HOGG, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11657) granting a pension to Madison H. Burnett, reported the same without amendment, accompanied by a report (No. 720); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12285) granting a pension to Mary C. Kirkland, reported the same with amendment, accompanied by a report (No. 721); which said bill and report were referred to the Private Calendar.

Mr. BENNETT of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12510) granting an increase of pension to John McWhorter, reported the same with amendment, accompanied by a report (No. 722); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12516) granting a pension to James S. Randall, Jr., reported the same with amendment, accompanied by a report (No. 723); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12640) granting an increase of pension to Augustus Walker, reported the same with amendment, accompanied by a report (No. 724); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 13050) granting an increase of pension to William G. Crockett, reported the same without amendment, accompanied by a report (No. 725); which said bill and report were referred to the Private Calendar.

Mr. AIKEN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 13078) granting an increase of pension to Elizabeth F. Parten, reported the same with amendment, accompanied by a report (No. 726); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13084) granting an increase of pension to William Dixon, reported the same without amendment, accompanied by a report (No. 727); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 244) granting an increase of pension to Thomas Bramel, alias Thomas Bramble, reported the same without amendment, accompanied by a report (No. 728); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 322) granting an increase of pension to Isabella Workman, reported the same without amendment, accompanied by a report (No. 729); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 407) granting an increase of pension to George W. Purvis, reported the same without amendment, accompanied by a report (No. 730); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 637) granting an increase of pension to John D. O'Brien, reported the same without amendment, accompanied by a report (No. 731); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1035) granting an increase of pension to Andrew McClory, reported the same without amendment, accompanied by a report (No. 732); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1271) granting an increase of pension to Edward Irwin, reported the same without amendment, accompanied by a report (No. 733); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1474) granting an increase of pension to Joseph Davis, reported the same without amendment, accompanied by a report (No. 734); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1709) granting a pension to Florence Greeley De Veaux, reported the same without amendment, accompanied by a report (No. 735); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1735) granting an increase of pension to Washington Hogans, reported the same without amendment, accompanied by a report (No. 736); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2144) granting an increase of pension to James A. M. Brown, reported the same without amendment, accompanied by a report (No. 737); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2583) granting an increase of pension to Thomas Robey, reported the same without amendment, accompanied by a report (No. 738); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BINGHAM: A bill (H. R. 13776) to amend section 1 of an act entitled "An act to amend the internal-revenue laws relating to distilled spirits, and for other purposes," approved March 3, 1899—to the Committee on Ways and Means.

Also, a bill (H. R. 13777) to amend section 50 of the act of August 28, 1894, entitled "An act to reduce taxation, to provide revenue for the support of the Government, and for other purposes"—to the Committee on Ways and Means.

Also, a bill (H. R. 13778) to amend the internal-revenue laws and to prevent the double taxation of certain distilled spirits—to the Committee on Ways and Means.

By Mr. KINKAID: A bill (H. R. 13779) to grant to Charles H. Cornell the right to abut a dam across the Niobrara River on the Fort Niobrara Military Reservation, Nebr., and to construct and operate a trolley or electric railway line and telegraph and telephone lines across said reservation—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 13780) to authorize a survey of Bogue Inlet, North Carolina—to the Committee on Rivers and Harbors.

By Mr. McNARY: A bill (H. R. 13781) concerning national banks of the United States with a capital surplus of \$2,000,000 in cities of the United States having a population of 200,000 people—to the Committee on Banking and Currency.

Also, a bill (H. R. 13782) for the consolidation of third and fourth class mail matter, for the registration and insurance of all mail matter, and for the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. BROOKS of Colorado: A bill (H. R. 13783) to provide souvenir medallions for The Zebulon Montgomery Pike Monument Association—to the Committee on Coinage, Weights, and Measures.

By Mr. DOVENER: A bill (H. R. 13784) for the establishment of a national park and forest reserve in the Appalachian Mountains, and to provide for the conservation of the water that flows down the Potomac watershed, and to provide laws for its sanitary policing, and so forth; to include all parts of the States of West Virginia, Pennsylvania, Maryland, Virginia, and the District of Columbia that contribute to form the complete watershed of the Potomac River from its head to and including the District of Columbia; and for the primary purposes of providing a sufficient and pure water supply for the District of Columbia; also to embrace the western slope of the Appalachian Mountains to the Ohio River included in the States of West Virginia, Pennsylvania, and Kentucky; and embracing the

watersheds of the Monongahela, Big Kanawha, Little Kanawha, and Big Sandy rivers, and their tributaries, and to prevent overflows and denudation of soil; for the establishment of reservoirs, canals, lakes, ponds, and ditches, and for all other useful purposes to which water can be put when supplied in abundance—to the Committee on Agriculture.

By Mr. STEPHENS of Texas: A bill (H. R. 13785) providing for the appointment of a commission to revise the postal laws and regulations of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: A bill (H. R. 13842) to amend an act entitled "An act to incorporate The Eastern Star Home for the District of Columbia," approved March 10, 1902—to the Committee on the District of Columbia.

By Mr. CRUMPACKER: A resolution (H. Res. 204) requesting the Secretary of Commerce and Labor to report to the House facts concerning refusal to allow John J. Bowes, an ex-soldier of the United States Army, to be admitted into the United States—to the Committee on Immigration and Naturalization.

By Mr. GILBERT of Kentucky: A resolution (H. Res. 206) calling on the Secretary of State for information relative to the conduct and transactions of the ministers of the United States to Bolivia and Ecuador—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN of New Jersey: A bill (H. R. 13786) to refund legacy taxes illegally collected from the estate of A. Swan Brown—to the Committee on Claims.

By Mr. BABCOCK: A bill (H. R. 13787) granting an increase of pension to Malcolm Ray—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 13788) for the relief of Allen Conley—to the Committee on Military Affairs.

Also, a bill (H. R. 13789) for the relief of John McGowan—to the Committee on Military Affairs.

Also, a bill (H. R. 13790) for the relief of Asa Day—to the Committee on War Claims.

Also, a bill (H. R. 13791) for the relief of the estate of Thomas K. Ball—to the Committee on War Claims.

Also, a bill (H. R. 13792) for the benefit of George W. Taylor's administrator—to the Committee on Claims.

Also, a bill (H. R. 13793) granting a pension to Mrs. A. H. Maddox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13794) granting a pension to John B. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13795) granting a pension to William Justice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13796) granting an increase of pension to Benjamin B. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13797) granting an increase of pension to Fred W. Lange—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 13798) granting an increase of pension to Alida King—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 13799) to remove the charge of desertion from the record of Bernhard Romacker—to the Committee on Military Affairs.

By Mr. BURLEIGH: A bill (H. R. 13800) granting an increase of pension to Moses N. H. Baker—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 13801) granting an increase of pension to Adam P. Cavit—to the Committee on Invalid Pensions.

By Mr. BUTLER of Tennessee: A bill (H. R. 13802) granting a pension to Ann M. Bart—to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 13803) granting a pension to Henry H. Foreman—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 13804) granting a pension to Bridget Davis—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 13805) granting an increase of pension to Isaac Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13806) granting an increase of pension to John Campbell—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 13807) granting an increase of pension to Imogene B. Tappan—to the Committee on Invalid Pensions.

By Mr. DENBY: A bill (H. R. 13808) to remove the charge of desertion from the military record of John Newmen—to the Committee on Military Affairs.

By Mr. DICKSON of Illinois: A bill (H. R. 13809) granting an increase of pension to James Tucker—to the Committee on Pensions.

By Mr. DRISCOLL: A bill (H. R. 13810) granting an increase of pension to Abraham J. Simmons—to the Committee on Invalid Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 13811) for the relief of Sarah Miller—to the Committee on War Claims.

By Mr. HINSHAW: A bill (H. R. 13812) granting an increase of pension to John Boyle—to the Committee on Invalid Pensions.

By Mr. HUBBARD: A bill (H. R. 13813) granting an increase of pension to Samuel Brown—to the Committee on Invalid Pensions.

By Mr. KLEPPER: A bill (H. R. 13814) granting an increase of pension to James Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13815) granting an increase of pension to Christian M. Good—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13816) granting an increase of pension to Thomas McPeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13817) granting an increase of pension to John S. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13818) granting an increase of pension to George Houtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13819) granting a pension to James A. Sloan, alias Henderson Sloan—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 13820) granting a pension to John H. Irwin—to the Committee on Pensions.

By Mr. KENNEDY of Ohio: A bill (H. R. 13821) to authorize the President of the United States to appoint Edgar C. Campbell captain and paymaster in the Army—to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 13822) granting an increase of pension to Augustus D. King—to the Committee on Invalid Pensions.

By Mr. LE FEVRE: A bill (H. R. 13823) granting an increase of pension to William Van Keuren—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 13824) granting an increase of pension to Noah Myers—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 13825) granting an increase of pension to James K. Brewer—to the Committee on Invalid Pensions.

By Mr. MEYER: A bill (H. R. 13826) granting an increase of pension to Frank S. Pettingill—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 13827) for the relief of the estate of James Jones, deceased—to the Committee on War Claims.

By Mr. SHACKLEFORD: A bill (H. R. 13828) granting an increase of pension to John M. Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13829) granting a pension to William Z. Burton—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 13830) to authorize the Court of Claims to consider the claims of Charles F. Winton, deceased, and others, against the Mississippi Choctaws for services rendered and expenses incurred—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: A bill (H. R. 13831) for the relief of W. T. Dixon—to the Committee on War Claims.

By Mr. THOMAS of Ohio: A bill (H. R. 13832) granting an increase of pension to Sanford Russell—to the Committee on Invalid Pensions.

By Mr. TYNDALL: A bill (H. R. 13833) granting an increase of pension to William H. Newberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13834) granting an increase of pension to William Minix—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 13835) granting an increase of pension to William Crane—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 13836) to remove the charge of desertion from the record of Tyler Weare—to the Committee on Military Affairs.

By Mr. DE ARMOND: A bill (H. R. 13837) granting a pension to William B. Nave—to the Committee on Invalid Pensions.

By Mr. FULKERSON: A bill (H. R. 13838) for the relief of Ellis W. Joy—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 13839) granting an increase of pension to Jacob D. Wood—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 13840) granting an increase

of pension to Absalom Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13841) for the relief of the heirs at law and legal representatives of Asahel Bliss—to the Committee on War Claims.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 11978) to reimburse Toney E. Proctor for services as appraiser of the town of Wagoner, Ind. T., and the same was referred to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the National Grange, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of E. B. Calhoun, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. ACHESON: Petition of Roscoe Council, No. 369, Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of the Sentinel Publishing Company, F. M. Schilling, and the Hay, Flour, and Feed Journal, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. ANDREWS: Petitions of José Montane and Frederick A. Bush, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BARCHFELD: Petition of the Western Fruit Jobbers' Association, for additional powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Press Printing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BATES: Petition of Alanson Crosby, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BENNET of New York: Petition of Thomas E. Schulz, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petitions of James B. Dunn, C. C. Hunt, and A. L. Chatterton, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of several hundred business men of New York City, favoring the metric system—to the Committee on Coinage, Weights, and Measures.

Also, petition correcting bill H. R. 11943 in certain particulars—to the Committee on Patents.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. BENNETT of Kentucky: Petition of C. J. Lack et al., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of Oak View Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of J. M. Allen, S. J. Roberts, and W. O. Blackerby, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BOWERSOCK: Petition of National Grange, Vine-land, Kans., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. BRADLEY: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of Lyman H. Taft, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BUCKMAN: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. BURKE of Pennsylvania: Petition of Charles E. Federman, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. BURLESON: Petition of 20 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. BURTON of Ohio: Petition of 13 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. BUTLER of Tennessee: Paper to accompany bill for relief of Ann M. Bart—to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: Paper to accompany bill for relief of Henry H. Truman—to the Committee on Invalid Pensions.

Also, petitions of Phil L. Keener, W. D. Gleason, L. W. Davis, F. W. Frye, Frederick P. Cone, D. L. Newkirk, the Review, and H. J. Rowell, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. CANDLER: Petitions of Charles M. Scherer, John T. Senled, the Herald, and R. D. Gladney, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. CHANEY: Petitions of Howard Chirly, William M. Moss, and Dean M. Inman, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Paris A. Hastings, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. COCKRAN: Petition of Lehman, Schwartz & Co., of New York City, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By Mr. CONNER: Petitions of Frank D. Faul and J. B. Hungerford, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. COOPER of Pennsylvania: Petitions of I. H. Knox, Edwin P. Pouse, G. E. Bishop, Lon A. Smith, G. M. Beck, W. D. McGinnis, Alexander B. Craff, and George W. Campbell, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of William Spencer—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: Petition of Burr Oak Camp, No. 3177, Modern Woodmen of America, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Review, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of R. K. Coe, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. COUSINS: Petitions of the Record, of Mount Vernon, Iowa; T. T. Williams, and the Herald Printing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. CURRIER: Petitions of the Berlin Reporter and the Mountaineer, of Gorham, N. H., against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of R. M. D. Adams and 15 residents of Milford, N. H., for investigation of affairs in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. DARRAGH: Petitions of George McConnelly & Co., M. O. Hullinger, H. L. Bemis, Will A. Kent, E. F. Grabill, H. A. Miller, and L. X. Goulet & Son, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DAVEY of Louisiana: Petition of P. J. McMahon, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By Mr. DOVENER: Paper to accompany bill for relief of John D. McFadden—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of the Troy Free Press, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DRESSER: Petitions of J. H. Wood, Charles D. Layman, and Ada Cable, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DRISCOLL: Petition of C. H. Skelton, H. S. Hopkins, Stillman & Spooner, the Oneida Post, W. W. Ames, W. Stanley Child, and E. E. Keeler, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of A. W. Sherman et al., for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By Mr. ELLIS: Petition of the Independent, of Kansas City, Mo., against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FLACK: Petition of Gouverneur Grange, No. 303, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Libbie Merrill—to the Committee on Invalid Pensions.

Also, petition of Isaac N. Lyons, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FORDNEY: Petitions of the Review and A. D. Gallery, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of John W. Clift, of Summit, N. J., against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Central Lodge, No. 372, Brotherhood of Railway Trainmen, favoring bills H. R. 9328 and 372—to the Committee on the Judiciary.

Also, petition of Old Glory Council, No. 16, Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of Smith Brothers; Charles W. Easton; M. T. Lynch; the Tidings Publishing Company; J. Thomas Scott, of Chatham, N. J.; J. Thomas Scott, of New Providence, N. J., and Charles L. Stryker, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FULKERSON: Petitions of James Watson, R. P. Futen, H. N. Stepel, P. S. Mooers, Ben F. Hildebrand, W. H. Gilbert the Journal, of Rockport, Mo., and the Sentinel, of Oregon, Mo., against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FULLER: Petition of J. W. Richardson, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of William McKinley Council, No. 2, of Alton, Ill., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Chamber of Commerce of New York, for an amendment of the customs administrative act—to the Committee on Ways and Means.

By Mr. GRANGER: Petition of the Willard Woman's Christian Temperance Union, of Providence, R. I., for the Hepburn-Dolliver bill—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of Orin Edson Crooker et al., and Washington Park Methodist Episcopal Church, of Providence, R. I., for prohibition in Indian Territory and Oklahoma as States—to the Committee on the Territories.

Also, petition of the Newport Agricultural Society, for increase of experiment stations—to the Committee on Agriculture.

By Mr. HAMILTON: Petition of citizens of Riverside, Mich., for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petitions of George E. Gillam, J. W. Saunders, and Charles F. Davidson, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HINSHAW: Petition of C. A. Shaff, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HITT: Petition of 20 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of Local Union No. 547, of Freeport, Ill., Painters, Decorators, and Paper Hangers of America, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By Mr. HOWARD: Petition of Purcell & Swilling and the Hartwell Sun, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HOWELL of Utah: Petition of the Mining Review, C. M. Jackson, H. G. Whitney, and O. W. Covington, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. JAMES: Petition of the Register News, Hon. W. K. Wall, and Hon. W. O. Wear, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. KENNEDY of Nebraska: Petition of the Commercial Clubs of Omaha and Blair, Nebr., for 1-cent postage—to the Committee on the Post-Office and Post-Roads.

By Mr. KELIHER: Petition of the Massachusetts State Board of Trade, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By Mr. WILLIAM W. KITCHIN: Petition of citizens of Newbern, N. C., relative to the status of the naval militia—to the Committee on Naval Affairs.

By Mr. KLINE: Petition of Bayard Handy, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Charles B. Spatz, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. KNAPP: Petition of Indian River Grange, No. 19, of Antwerp, N. Y., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. LEE: Paper to accompany bill (H. R. 6438) for relief of Joel Cross—to the Committee on War Claims.

By Mr. LILLEY of Connecticut: Petition of the Waterbury Republican, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MCKINNEY: Petition of the Moline Mail Company, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of the Review Printing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MACON: Petition of Troutt & McNary, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MAHON: Paper to accompany bill for relief of James K. Brewer—to the Committee on Invalid Pensions.

Also, petitions of the Franklin Repository, James Magee, and Francis Allen, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petitions of Waynesboro Council, Junior Order United American Mechanics; Council No. 294, Order United American Mechanics; Chambersburg Council, No. 228; citizens of Scotland, Pa., and Washington Council, No. 695, Patriotic Order Sons of America, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MANN: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of George E. Briggs, against the repeal of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of major-generals, relative to bill H. R. 8989—to the Committee on Military Affairs.

Also, petition of Henry W. Lee, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MARTIN: Petition of 16 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of J. H. Shanard et al., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. MICHALEK: Petitions of August Geringer and C. F. Pettkoske, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of William Postell—to the Committee on Military Affairs.

By Mr. MORRELL: Petition of prominent citizens of Philadelphia, against the commercial spoliation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. MOUSER: Petition of Seneca Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of J. S. Opdyke and the Leader, of Syracuse, Ohio, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. OTJEN: Petition of the Young Churchman Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. OVERSTREET: Petition of George B. Gannon et al., citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of the Municipal Engineering Company and the American Farmer, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of the Manufacturers' Club of Fort Wayne, Ind., favoring the President's recommendations relative to railway rate control—to the Committee on Interstate and Foreign Commerce.

By Mr. POLLARD: Petition of the Commercial Club of Omaha, Nebr., for 1-cent postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Nebraska Corn Improvers' Association, for bill H. R. 345—to the Committee on Agriculture.

By Mr. REEDER: Petition of F. M. Duvall, E. M. Coldren, G. N. Shook, C. L. Thompson, Calvin D. Walker, J. J. Rodebaugh, and L. Y. Parker, against the tariff on tinotype machines—to the Committee on Ways and Means.

By Mr. REYNOLDS: Paper to accompany bill for relief of Noah Burket—to the Committee on Invalid Pensions.

By Mr. RHINOCK: Petition of the National Grange, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the Williamstown Courier, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. RHODES: Petitions of H. A. Gibbs, I. L. Page, and W. C. Thornton, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. ROBINSON of Arkansas: Papers to accompany bill H. R. 13635—to the Committee on the Public Lands.

By Mr. RYAN: Petition of Buffalo Division, No. 15, Brotherhood of Locomotive Engineers, favoring bills H. R. 9328 and 239—to the Committee on the Judiciary.

By Mr. SCHNEEBELI: Petition of Nazareth Council, No. 100, Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of 23 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of Strong Vincent Post, No. 67, Grand Army of the Republic, of Erie, Pa., favoring bill H. R. 8989—to the Committee on Military Affairs.

Also, petition of the Record, of Lansford, Pa.; the Daily News, of Bangor, Pa.; the Pike County Press, of Milford, Pa.; La Stella Colorvale, of Ben Argyle, Pa., and the Herald, of Weatherly, Pa., against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SHACKLEFORD: Petition of Local Union No. 94, Carpenters and Joiners of America, of Jefferson City, Mo., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of D. W. Jones, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SHEPPARD: Petition of J. H. Reigner, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SHERMAN: Petition of J. J. Guernsey, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Orlean De Witt—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: Petitions of John A. Hale, Charles McDermott, Thomas J. Haworth & Co., R. W. Jones, and John T. Galbraith, against the tariff on linotype machines—to the Committee on Ways and Means.

Mr. SMITH of Kentucky: Petition of citizens of Lebanon, Ky., asking for investigation into affairs in the Kongo Free State—to the Committee on Foreign Affairs.

Also, petitions of Marion Falcon, C. E. Smith, the Standard Publishing Company, Joel H. Pile, the Bullitt County News, T. T. Page, the Breckinridge News, and Daniel Gober, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SMITH of Pennsylvania: Petition of Horace Greely Miller, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SAMUEL W. SMITH: Petition of George E. Briggs, against removal of the tariff on alcohol—to the Committee on Ways and Means.

Also, petition of F. L. Andrews and the Robert Smith Printing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of the Detroit Board of Commerce, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the Detroit Board of Commerce, relative to the consular service—to the Committee on Foreign Affairs.

By Mr. SMITH of Texas: Petitions of W. F. Kellis and S. F. Bethel, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SOUTHARD: Petitions of H. S. Kickson, W. W. Grube, and the Exponent Publishing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SULZER: Petitions of George L. Norton and Jean Weil, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of George E. Briggs, against repeal of the tax on free alcohol—to the Committee on Ways and Means.

Also, petition of the National German-American Alliance, relative to literature touching the beer interest—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Manufacturers' Association of New York,

against the metric system—to the Committee on Coinage, Weights, and Measures.

Also, petition of the People's Institute, for a post-graduate university in Washington, D. C.—to the Committee on Education.

Also, petition of the Western Fruit Jobbers' Association, relative to private-car-line evils—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of North Carolina: Petition of the Swansboro Land and Lumber Company, for improvement of Bogue Inlet, North Carolina—to the Committee on Rivers and Harbors.

By Mr. THOMAS of Ohio: Petitions of L. R. Benjamin, R. A. Huber, and E. F. Keinobel, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of General Joe Hooker Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Garrettsville (Ohio) Farmers' Institute, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Grange, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. TOWNSEND: Petition of North Rome Grange, No. 135, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of C. J. McCormic and Milo W. Whittaker, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WEEKS: Petitions of Cushman's Six Monthlies, of Boston, Mass.; the Sentinel, of Franklin, Mass.; the Genealogical Magazine and the Anglo-American, of Boston, Mass., and the Chronicle, of Brookline, Mass., against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petitions of George H. Wightman and the Society of Chemical Industry, New England section, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. WEEMS: Petitions of Brilliant Lodge, No. 772, Independent Order of Odd Fellows, and General Fremont Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WEISSE: Petition of A. A. Mashburn, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WILLIAMS: Petitions of Ira W. Betts, J. G. McGuire, and Joseph E. Norwood, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WILSON: Petition of Charles L. Clark, against the tariff on linotype machines—to the Committee on Ways and Means.

SENATE.

FRIDAY, February 2, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

SAFETY OF VESSELS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War relative to a concurrence in the resolution adopted by the General Board, Navy Department, with respect to the delimitation of defensive areas in the neighborhood of fortified or strategic points; which was referred to the Committee on Military Affairs, and ordered to be printed.

ARMY QUARTERS, PHILIPPINE ISLANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation for inclusion in the urgent deficiency appropriation bill for barracks and quarters, Philippine Islands, for use during the current fiscal year, \$100,000; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

DRAFTS OF PROPOSED DISTRICT OF COLUMBIA BILLS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting the draft of a bill to amend the first paragraph under the head of "District of Columbia" in the general deficiency appropriation act of March 3, 1901, relative to the granting of permits for the extension of any building or buildings, or any part or parts thereof, in the city of Washington, D. C., etc.; also the draft of a bill to correct a typographical error in the act approved July 1, 1898, vesting in the Commissioners of the District of Columbia the control of street parkings in the District, and, further, the draft of a bill to authorize the sale of certain real estate in the District of Columbia belonging to the United States; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 83) for a report, etc., upon the preservation of Niagara Falls; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

- S. 312. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak.;
- S. 944. An act granting an increase of pension to Robert F. Catterson;
- S. 974. An act granting an increase of pension to David L. Wright;
- S. 979. An act to amend an act entitled "An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.;"
- S. 1036. An act granting an increase of pension to William C. Beachey;
- S. 1040. An act granting an increase of pension to James Sloan;
- S. 1164. An act granting an increase of pension to Henry E. Bedell;
- S. 1201. An act granting an increase of pension to Sarah A. Preston;
- S. 1214. An act granting an increase of pension to Charles W. Oleson;
- S. 1238. An act granting an increase of pension to John Christoff;
- S. 1239. An act granting an increase of pension to Joseph G. McGarvey;
- S. 1269. An act granting an increase of pension to Charles E. Smith;
- S. 1310. An act granting an increase of pension to Charles S. M. Hooton;
- S. 1340. An act granting an increase of pension to John Leavitt;
- S. 1341. An act granting an increase of pension to Fred Preisinger;
- S. 1342. An act granting an increase of pension to Morton M. Noah;
- S. 1359. An act granting an increase of pension to Jeremiah Ingalls, alias Jeremiah Boss;
- S. 1408. A act granting an increase of pension to Julia W. Estes;
- S. 1431. An act granting an increase of pension to William W. Lane;
- S. 1505. An act granting an increase of pension to Uriah D. Barrett;
- S. 1737. An act granting an increase of pension to Helen M. Blanchard;
- S. 1747. An act to authorize the Mobile Railway and Dock Company to construct and maintain a bridge or viaduct across the water between the end of Cedar Point and Dauphin Island;
- S. 1826. An act granting an increase of pension to Rufus H. Paine;
- S. 1872. An act granting an increase of pension to Rebecca A. White;
- S. 1888. An act granting an increase of pension to George W. Patton;
- S. 2082. An act granting an increase of pension to Elizabeth T. Carpenter;
- S. 2143. An act granting an increase of pension to Angelina Hernandez;
- H. R. 297. An act to authorize the construction of dams and