WISCONSIN.

James Harris to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin, in place of Ira D. Hurlbut. Incumbent's commission expires April 10, 1906.

CONFIRMATIONS.

Executive nomination confirmed by the Senate March 6, 1906.

CIRCUIT JUDGE OF HAWAII.

William J. Robinson, of Hawaii, to be third judge of the circuit court, first circuit, of the Territory of Hawaii.

Executive nominations confirmed by the Senate March 7, 1906.

CONSUL-GENERAL.

Amos P. Wilder, of Wisconsin, to be consul-general of the United States at Hongkong, China.

MARSHALS.

Claudius Dockery, of North Carolina, to be United States marshal for the eastern district of North Carolina.

Charles B. Hopkins, of the State of Washington, to be United States marshal for the western district of Washington.

POSTMASTERS.

ALABAMA.

Ida O. Tillman to be postmaster at Geneva, in the county of Geneva and State of Alabama.

ARKANSAS.

William L. Jefferies to be postmaster at Clarendon, in the county of Monroe and State of Arkansas.

CALIFORNIA.

Austin Wiley to be postmaster at Arcata, in the county of Humboldt and State of California.

KENTUCKY.

E. S. Moss to be postmaster at Williamsburg, in the county of Whitley and State of Kentucky.

MASSACHUSETTS.

Walter N. Beal to be postmaster at Rockland, in the county of Plymouth and State of Massachusetts.

William F. Darby to be postmaster at North Adams, in the county of Berkshire and State of Massachusetts.

Joseph M. Hollywood to be postmaster at Brockton, in the county of Plymouth and State of Massachusetts.

MICHIGAN.

Ramsay Arthur to be postmaster at Schoolcraft, in the county of Kalamazoo and State of Michigan.

Charles Brown to be postmaster at Vicksburg, in the county of Kalamazoo and State of Michigan.

Seymour Foster to be postmaster at Lansing, in the county of Ingham and State of Michigan.

Glover E. Laird to be postmaster at Mendon, in the county of St. Joseph and State of Michigan.

Richard B. Lang to be postmaster at Houghton, in the county of Houghton and State of Michigan.

Albert A. Worthington to be postmaster at Buchanan, in the county of Berrien and State of Michigan.

MINNESOTA.

Joseph Cowin to be postmaster at Adrian, in the county of Nobles and State of Minnesota.

John P. Mattson to be postmaster at Warren, in the county of Marshall and State of Minnesota.

NEW MEXICO.

Robert W. Hopkins to be postmaster at Albuquerque, in the county of Bernalillo and Territory of New Mexico.

NORTH CAROLINA.

W. M. Currie to be postmaster at Maxton, in the county of Robeson and State of North Carolina.

Elizabeth H. Hill to be postmaster at Scotland Neck, in the county of Halifax and State of North Carolina.

RHODE ISLAND.

H. Elmer Freeman to be postmaster at Phillipsdale, in the county of Providence and State of Rhode Island.

TEXAS.

Frank Leahy to be postmaster at Rodgers, in the county of Bell and State of Texas.

Charles McCormack to be postmaster at Plainview, in the county of Hale and State of Texas.

Lola Weand to be postmaster at Fort Sam Houston, in the county of Bexar and State of Texas.

VERMONT.

Julius O. Belknap to be postmaster at South Royalton, in the county of Windsor and State of Vermont.

Mark H. Moody to be postmaster at Waterbury, in the county of Washington and State of Vermont.

WISCONSIN.

David C. Owen to be postmaster at Milwaukee, in the county of Milwaukee and State of Wisconsin.

WASHINGTON.

James N. Scott to be postmaster at Kennewick, in the county of Yakima and State of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 7, 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.

COAL TO CITIZENS OF NOME, ALASKA.

Mr. CAPRON. Mr. Speaker, I ask unanimous consent for the present consideration of a joint resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Rhode Island asks unanimous consent for the present consideration of the following joint resolution, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized to cause to be sold to the citizens of Nome, Alaska, at its actual cost to the United States at the place of sale, such limited quantities of coal for domestic uses as, in his judgment, can safely be spared from the stock provided for the use of the garrison at Fort Davis, Alaska.

The SPEAKER. This is in the form of a bill:

Be it enacted, etc.—

If there be no objection, the title will be amended. Is there objection to the present consideration of the bill?

There was no objection.

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

On motion of Mr. CAPRON, a motion to reconsider the last vote was laid on the table.

By unanimous consent, the title was amended to make it read: "A bill (H. R. 16305) authorizing the Secretary of War to sell certain coal in Alaska, and for other purposes."

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Indian appropriation bill; and pending that, Mr. Speaker, I ask unanimous consent that general debate be concluded to-day, and that the time be controlled by the gentleman from Texas [Mr. STEPHENS] and myself in equal parts.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate upon the Indian appropriation bill be closed to-day and that the time be controlled half and half by the gentleman from New York [Mr. SHERMAN] and the gentleman from Texas [Mr. STEPHENS]. Is there objection?

Mr. STEPHENS of Texas. I have no objection to that arrangement, Mr. Speaker.

There was no objection.

The motion of Mr. SHERMAN 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. 15331—the Indian appropriation bill—with Mr. CURRIER in the chair.

Mr. SHERMAN. Mr. Chairman, I yield one hour to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. Mr. Chairman, as a member of the committee that reported this bill I desire to submit a few observations on the bill and upon the general subject of Indian legislation. In South Dakota we have a population of something more than 20,000 Indians. I have been a resident of that State about twenty-four years. I have resided in the section of the State adjacent to the Sioux Indian reservations, and therefore in discussing the subject of Indian legislation I am going to speak from the standpoint of one who knows something about the Indians from actual contact and observation.

Mr. Chairman, whenever legislation is suggested in this House for the benefit and advancement of the Indians, or to open for settlement Indian reservations that are not used by the Indians, there are certain people throughout the East that show signs of hysteria and express alarm and fear that the "poor Indian," as they say, is again about to be robbed or outraged. I propose to show, Mr. Chairman, that instead of the Indian

being mistreated, that he has been most generously treated, treated better in many respects than our white citizens.

The bill before the committee, as suggested by the chairman, is new in form. The committee considered that the old form, which had been in use many years, was not such a form as presented the different subjects that the bill covers in the most intelligent manner, and therefore they have adopted and presented here a new form of a bill which I am certain, as stated by the chairman yesterday, will meet with the approval of the Members of the House when they become familiar with the changes and the new form.

The bill contains appropriations for absolute gratuities of $585,000. About that amount is appropriated every year as a gratuity. The bill contains an item for the support of schools of $3,558,405, and, as the chairman of the committee stated yesterday, practically that amount is a gratuity. In other words, we expend that amount of money annually for the education of the Indians that is paid out of the Treasury as a gratuity.

I want to call the attention of the House to the Indian allotment law enacted in 1887. That act, recognizing that the Indians had certain rights in the land which they occupy as reservations, provided for alloting to each individual Indian a certain quantity of land, and to each head of a family, to each child over 18 years old, and also to each child, regardless of its age, under 18 years. That provision gives to an Indian with a family of four or five children from a section to a section and a half of land.

In the Sioux Reservation in South Dakota, with which I am familiar, the allotment features of the law opening that portion which was ceded in 1889 increased the area of the allotment by doubling the amount as provided in the original allotment act, so that allotments are made in quantites as follows:

> To each head of a family, 320 acres; to each single person over 18 years of age, one-fourth of a section; to each orphan child under 18 years of age, one-fourth of a section; and to each other person under 18 years now living, or who may be borne prior to the date of the order of the President directing an allotment of the lands embraced in any reservation, one-eighth of a section: *Provided*, That where the lands on any reservation are mainly valuable for grazing purposes an additional allotment of such grazing lands, in quantities as above provided, shall be made to each individual.

So that an Indian with a family may take 640 acres of grazing land or 320 acres of agricultural land; to each child over 18 years of age, 320 acres of grazing land, and to each child under 18 years of age, 160 acres of grazing land.

Now, in the case of an Indian with five children there is awarded to him and his family something like 1,400 acres if it is grazing land, or one-half that amount of agricultural land. The land is held in trust for a period of twenty-five years. It is not subject to taxation, and it becomes his absolute property at the expiration of twenty-five years, and he has the benefit and use of it in the meantime without paying 1 cent of taxation either for schools, for maintaining the township and county or State government.

This allotment law was, as I stated, enacted about twenty years ago, and it contemplates that after the allotment to the Indians on the reservations has been made, then the surplus land or unused land, land that the Indians do not require, shall be disposed of and sold under the provisions of the homestead law. And it provides further that the proceeds of the sale of these unused lands shall be paid into the Treasury for the support and maintenance and education and civilization of the tribe.

Mr. Chairman, it has become necessary, in order to secure legislation disposing of these surplus lands, that we shall provide that the money, or a large portion of it, received from the sale of the lands shall be paid to the Indians per capita in cash. In the meantime, we are appropriating from three to four million dollars annually from the Treasury for the education of these same Indians that we are paying money to for surplus and unused lands that we are selling, after they have taken their allotments.

Mr. STEPHENS of Texas. Will the gentleman allow a question?

Mr. BURKE of South Dakota. Yes.

Mr. STEPHENS of Texas. I understand the gentleman to state that about twenty years ago Congress passed a bill permitting the Secretary of the Interior to allot lands to the Indians separately, so that the rest of the reservation might be thrown open; that is the law the gentleman refers to?

Mr. BURKE of South Dakota. Yes.

Mr. STEPHENS of Texas. Does the gentleman know of a single instance where the present Secretary of the Interior has complied with that law and under it allotted lands to the Indians out of their reservations?

Mr. BURKE of South Dakota. Mr. Chairman, I would answer that by saying that this law authorizes the Secretary of the Interior to negotiate an agreement with the Indians for a sale of these unused lands, and there have been many such agreements sent to this House that were negotiated under the provision I have referred to in the original allotment law.

Mr. STEPHENS of Texas. Mr. Chairman, can the gentleman point out one negotiated by the present Secretary, where he has allotted lands to the individual Indians?

Mr. BURKE of South Dakota. I most certainly can. In South Dakota he has sent to this House one referring to the sale of a portion of the Rosebud Reservation, that portion located in Gregory County, and another relating to the Lower Brule Reservation.

Mr. STEPHENS of Texas. That was not done in response to the act of Congress passed twenty years ago, was it?

Mr. BURKE of South Dakota. It was, Mr. Chairman. It was under authority given to the Secretary under the law to which I have referred.

Mr. STEPHENS of Texas. Can the gentleman state why there is a difference made between his State and New Mexico and Arizona?

Mr. BURKE of South Dakota. I am not familiar with the conditions in the two Territories named by the gentleman.

Mr. STEPHENS of Texas. Or Oklahoma?

Mr. BURKE of South Dakota. Or Oklahoma. My recollection is that we did have a treaty or an agreement pertaining to some portion of the Kiowa and Comanche reservations, with which the gentleman is familiar, that was negotiated under the present Secretary of the Interior.

Mr. STEPHENS of Texas. That was in 1892, before Mr. Hitchcock's administration.

Mr. BURKE of South Dakota. That may be true.

Mr. FITZGERALD. Mr. Chairman, while many agreements have been negotiated, none have been ratified, practically none, in the form in which they were negotiated. And that is what confuses the gentleman from Texas [Mr. STEPHENS].

Mr. BURKE of South Dakota. Mr. Chairman, it is true that since the decision by the Supreme Court in what is known as the "Lone Wolf case" treaties or agreements have not been ratified, but legislation has been enacted along the line of agreements substantially complying therewith. I desire to call attention to a provision of the allotment law to which I have referred substantiating what I have said as to what shall be done with moneys that may be received from the sale of the unused portions of Indian reservations. In section 5 of that law I read this paragraph:

> And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes of Indians to whom such reservations belong, and the same, with interest thereon at 3 per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof.

Mr. Chairman, in the bill dividing the great Sioux Reservation in South Dakota into separate reservations that identical language was incorporated, showing that it was the policy and the intention of Congress when the original allotment law was passed, after giving to an individual Indian a certain tract of land in the form of an allotment, to have the balance of the lands which constituted the reservation sold and disposed of and the proceeds put in the Treasury for the support, education, and civilization of those Indians. I merely refer to this, Mr. Chairman, for the purpose of showing that, instead of mistreating the Indians, we are dealing with them in a manner that is extremely generous. I am not criticising that policy, because there is no question that under the system of education the Indian is making very rapid progress. I believe that in the past ten years, under the policy that has prevailed dealing with the Indians of this country, they have made greater progress than they made in the fifty previous years.

As the chairman of the committee stated yesterday, instead of appropriating money and buying rations and issuing them to Indians regardless of whether they are able to work or not, to-day we are legislating that moneys appropriated for the support of Indians may be commuted instead of giving them a ration by requiring them to work and paying them for their labor. For many years it was thought that the Indian ought not to work; that he was different from a white man, and there was a certain sentiment that controlled legislation relating to him, and he was supposed to be permitted to live in absolute idleness and roam over the country hunting and fishing without having to think once or care where his next meal was coming from, because he knew that he could go to the agency and there he would have issued to him meat and other provisions, as well as clothing. Under the policy that prevails now an Indian who is able-bodied, who is capable of laboring, is given to understand that if he wants to eat he has got to work the same as a white man, and throughout my State, where, as I

say, we have a great many Indians, that system has worked with good results. We have Indians employed not only upon the reservations in the construction of roads, in the construction of irrigation works, in hauling freight for the agencies, but in many instances Indians are employed off the reservation the same as any other citizen of the State, and some of them in the western sections of the State are working on the railroad as section hands.

The old Indian—the Indian who has had no opportunity whatever to progress, who is aged and infirm—the Government still cares for, as it formerly did all Indians, by issuing to him rations and providing him with food and clothing. Mr. Chairman, many Members of this House will recollect in the Fifty-seventh Congress that there was passed a bill known as the "Rosebud bill." That bill provided for the disposition and sale of that portion of the Rosebud Reservation in South Dakota located in Gregory County. Before the measure became a law there was a very strenuous opposition, not in this House, but from sources entirely independent of this House and originating at Philadelphia. The Indian Rights' Association, assuming to know the facts and believing that the proposed legislation was unfair to the Indians, protested against the enactment of the bill, claiming that it was going to do a wrong to the Indians, and that it was dishonest for that reason.

Notwithstanding that opposition and after some concessions were made as to the price of the land, the bill became a law. The bill provided that the land should be disposed of to settlers under the provisions of the homestead law, under rules and regulations to be prescribed by the Secretary of the Interior, and under that authorization the Department applied what is known as the "lottery system." The lottery system has been in use now in the opening of two or three reservations, and the only opposition to the system, the only denunciation of the system, has come from the extreme East and in remote parts of the country from where the law has been applied. The Rosebud measure has been criticised since it was enacted by certain magazine and other writers, and particularly has the feature relative to the lottery system been denounced. Now, Mr. Chairman, the Rosebud bill, as I stated, opened to settlement about 400,000 acres of land. In the tract affected there were something over 500,000 acres. Before the law was applicable the Indians had the right to locate and select allotments in the portion that was affected by the bill. They proceeded to locate and select their allotments and took out of the tract 100,000 acres of land, and I want to say that Indians, in many repects, are like white men and they know good land from bad land, and when they took that hundred thousand acres out of that tract for their allotments they took the very best parts of it, and the parts of it especially that were along the streams and the creeks. That law provides that the balance of the land shall be sold; first, for all lands taken in the first three months the price to be $4 an acre; after the three months and for the next three months the price to be $3 per acre, and after that the price to be $2.50 an acre. Mr. Chairman, notwithstanding the fact that the Indians had taken their allotments as the allotment law provided, that they are to possess this land for twenty-five years without being obliged to pay any taxes whatever, notwithstanding that the value of these lands is to be greatly enhanced by reason of the adjoining lands being settled upon and cultivated by the white settler, notwithstanding the provisions to which I have referred in the general allotment law and which is also in the law which created the Rosebud Reservation, instead of providing that the money should be placed in the Treasury for the education and the civilization and advancement of these Indians the law provides that it shall be paid out to them, one-half of it per capita in cash. Mr. Chairman, I want to state now that in the future, from the standpoint of the best interests of the Indians, to say nothing of following the law which we have on the statute books, I shall protest against moneys being paid to Indians in cash that may be realized from the sale of lands which they do not use and do not occupy.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield for a question?

Mr. BURKE of South Dakota. Certainly.

Mr. FITZGERALD. Does the gentleman object to the policy of paying part of the proceeds of those sales in cash to the Indians?

Mr. BURKE of South Dakota. I most certainly do, Mr. Chairman, and I shall protest against any measure that may come up in this House again containing such a provision.

Mr. FITZGERALD. Under the Rosebud bill provision was made that a very large percentage of the funds derived should be paid in cash to the Indians?

Mr. BURKE of South Dakota. Yes, sir.

Mr. FITZGERALD. Did the gentleman protest against that feature in that bill?

Mr. BURKE of South Dakota. Mr. Chairman, it was necessary to have the bill apparently upon its face extremely liberal toward the Indians in order to overcome the opposition represented by my distinguished friend from New York.

Mr. FITZGERALD. The opposition represented by myself, the gentleman said, never urged that large percentage payments be paid to the Indians. If the gentleman recollects, he himself desired that large percentage payments be made in order to allay the fears and stop the protests of the Indians who owned these lands that were to be disposed of.

Mr. BURKE of South Dakota. Let me say to the gentleman that it is another argument against the system of negotiating treaties or agreements with the Indians. That provision was put in the Rosebud bill because it was in the agreement with the Indians. It was put in the agreement with the Indians because they could not make an agreement unless it was in.

Mr. FITZGERALD. But the gentleman knows that he is one of those who have been urging most strenuously that Congress ignore completely the terms of these agreements.

Mr. BURKE of South Dakota. Yes, and I shall continue to urge that.

Mr. FITZGERALD. And I simply wish to call attention to the fact that in the bill opening a reservation in his own district he desired to have as much put into the bill as was possible in order to prevent the outcry on the part of the Indians.

Mr. BURKE of South Dakota. Mr. Chairman, my position on the question of disposing of Indian lands is and will hereafter be governed entirely by what I believe to be for the best interests of the Indians.

Mr. FITZGERALD. If it would not interrupt the gentleman's statement, I wish he would give the House this information, namely, the amount of acres disposed of under the Rosebud bill, and the maximum price, and each of the other prices.

Mr. BURKE of South Dakota. A little further on I will give the gentleman exactly that information. I was about to say, Mr. Chairman, that I am hereafter going to favor legislation that I believe is for the best interests of the Indians from every standpoint. The Indians of this country, in one sense, are mere children, and it is absurd for Congress, that has jurisdiction over them, when it considers some measure is advisable to promote their interests, to have to go to them and ask them to consent that they be dealt with honestly and, as Congress believes, wisely. And it is because of that system that this condition has arisen by which moneys are being squandered that otherwise should be husbanded and expended for the advancement and education of the Indian as the original allotment law contemplated.

Mr. STEPHENS of Texas. Would the gentleman be willing to support a measure that would provide that all the lands in the Indian reservations containing valuable minerals might be thrown open under the United States mining laws, and the proceeds thereof applied to the Indians, as another Indian fund—a general bill of that kind covering all mineral reservations?

Mr. BURKE of South Dakota. Without having opportunity, Mr. Chairman, to give the question any consideration, I am inclined to say no. Perhaps I do not understand the question.

Mr. STEPHENS of Texas. Then can the gentleman give any reason why a great many million acres of land containing valuable mineral deposits should be locked up in Indian reservations and indefinitely withheld from the American miner and prospector?

Mr. BURKE of South Dakota. If that condition prevails, Mr. Chairman, it is not within the section of the country with which I am familiar.

Mr. STEPHENS of Texas. The gentleman is very fortunate in living in the section of the country that he does. I hope the gentleman will remove his place of residence to the great Territories of the Southwest, where these conditions do prevail, namely, New Mexico and Arizona.

Mr. BURKE of South Dakota. I will state to the gentleman that I have the good fortune to live in a section of country that has the richest hundred square miles in the world, known as the Black Hills.

Mr. STEPHENS of Texas. I am glad to know that the gentleman is so fortunately situated, and I hope he will turn his attention outside of his own bailiwick and assist these Territories that have no voting representation on this floor, and that are not entitled to votes here, to secure their rights. They should have separate statehood, and their representatives on this floor and in the Senate, so that these Indian tracts of land may be thrown open and that country may be developed.

Mr. BURKE of South Dakota. It has been asked, Mr. Chairman, what disposition was to be made of the proceeds of the

sale of this Rosebud Reservation other than the one-half which is to be paid to them per capita in cash. I wish to say that the law provides that the balance of the money shall be expended for stock cattle, and that cattle shall be issued to the Indians. So that while they do not get all of the money in cash, only getting half of it, the other half is given to them in cattle, or the equivalent of cash. Now, notwithstanding, Mr. Chairman, the provision of the allotment law to which I have referred, that the moneys received from the sale of lands similar to the Rosebud lands shall be placed in the Treasury for the support and education of the Indians, we are paying out the entire amount to the Indians and at the same time we are making appropriations from the Treasury to educate these Indians that are benefited by the sale of the Rosebud lands.

The original agreement with the Rosebud Indians provided that they should be paid for the lands the sum of $2.50 an acre, which would have made an aggregate sum of $1,040,000. When we proposed the measure which finally became a law, which does not obligate the Government to pay for any of it except sections 16 and 36, which are ceded to the State for school purposes, it was claimed that unless there was a price put upon the land, some claiming as high as $10 an acre, that it would be disposed of for a low price and the Indians would not receive anything like as much as they would have received if the agreement had been carried out, viz, a million and forty thousand dollars.

Mr. Chairman, that bill became operative, so far as the opening was concerned, on the 8th day of August, 1904, about a year and a half ago. I have here from the General Land Office a letter signed by the Commissioner, giving a statement of the amount of lands that have been disposed of at the different prices and the amount of money that has been received and placed in the Treasury to the credit of the Indians up to December 31, 1905. This statement shows conclusively that when the matter is finally completed and the land is all disposed of and paid for, instead of the Indians receiving $1,040,000 they will probably receive from $200,000 to $400,000 in excess of that amount. For the benefit of the House I would like, Mr. Chairman, to have the letter read which I send to the Clerk's desk; also a letter from the Secretary of the Treasury, showing the amount of money that has been paid into the Treasury by reason of sales of land in the Rosebud Reservation, in Gregory County, to which I have referred.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., February 7, 1906.

Hon. CHARLES H. BURKE,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of January 27, 1906, requesting to be furnished with a statement up to and including December 31, 1905, of the lands disposed of in Gregory County, S. Dak., in what was formerly the Rosebud Reservation, opened to entry under the provisions of the act of April 23, 1904 (33 Stat., 254).

In response to your inquiries I have to state—

First. During the period ending on the date above mentioned there were made 1,881 homestead entries of the $4 class, embracing approximately 300,960 acres.

Second. One hundred and sixty-two homestead entries of the $3 class, embracing 21,898.87 acres.

Third. Three hundred and four homestead entries of the $2.50 class, embracing 38,045.82 acres.

Fourth. Four hundred and twenty homestead entries, all of the $4 class, upon which the first payment of $1 per acre had been made, were relinquished and the land embraced therein reentered. The area covered by these entries was 64,969.47 acres, and the money received therefor, $64,969.47.

Fifth. Twenty-nine thousand five hundred and forty-three and fifty one-hundredth acres were granted to the State under the provisions of section 4 of the act above referred to. In accordance with the terms of said act the Indians received $2.50 per acre for said lands, amounting in the aggregate to $73,858.75, and this amount has been paid into the Treasury for the credit of the Indians on account of said school lands.

Sixth. Homesteads embracing 29,532.19 acres of the $4 grade were commuted, and $118,128.76 was received therefor. One homestead entry of 160 acres, perfected under sections 2292, 2304, and 2305, Revised Statutes, the entryman having four years' military service to his credit and having paid the full price of the lands, is included in the area given.

Seventh. There are approximately 110,080 acres remaining unappropriated, which would make 688 homestead entries of 160 acres each.

Eighth. No contests arose by reason of different parties claiming the same tract during the sixty-day period following the day of opening (August 8, 1904), during which period a preference right of entry was given to parties who had registered, and no such contests could arise for the reason that during this period rights were initiated by entry or filing and not by settlement under the provisions of the President's proclamation.

The order in which entries of this land should be made was determined by registration and drawing, in accordance with a plan which was adopted by President McKinley and first used in opening to entry the Kiowa-Comanche Reservation, in Oklahoma, in 1901. Since that time it has also been used in opening the Rosebud, Devils Lake, and Uintah reservations, embracing in the aggregate three and one-half million acres of land. In these openings there were registered in the aggregate 304,000 people and in none of them were those participating subjected to any great hardship and to but little inconvenience. No complaint of any character has reached this office, either as to the fairness of the method employed, its execution, or the results obtained.

The figures given in the first, second, third, and fourth items are approximately correct, and it is believed will serve your purpose, although some slight changes might be made therein upon a more careful inspection of the records.

Very respectfully,
W. A. RICHARDS,
Commissioner.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 30, 1906.

Hon. CHARLES H. BURKE,
House of Representatives.

SIR: In reply to your letter of the 27th instant asking for a statement of the amount paid into the Treasury to December 31, 1905, as proceeds of Rosebud Reservation sold under section 5, act of April 23, 1904, I would state that the sum of $434,907.87 has been so received and covered.

By the same act Congress appropriated the sum of $75,000, or so much thereof as might be necessary, to pay for sections 2 and 16, granted to the State of South Dakota. The net amount required to execute this provision of the law is $73,858.75, making a total credit on account of land disposed of, of $508,766.62.

There has been disbursed from this appropriation the sum of $87,280.20, leaving a balance available of $421,486.42.

Respectfully,
L. M. SHAW, *Secretary.*

Mr. BURKE of South Dakota. Mr. Chairman, it appears by these letters that more than half a million dollars has already been paid into the Treasury, notwithstanding but very few have yet made final entry and final payment, not having been there long enough to do so and comply with the law. I think it will be seen that there will be nearly, if not quite, another million dollars received from the sales of these lands, making a total of about a million and a half dollars as against the million and forty thousand dollars they would have received under the treaty.

I want to refer further to this letter which has been read from the Commissioner, which states that under this so-called "lottery system" there never has been any complaint from anyone who registered and took advantage of the system in order to get or acquire a claim. One hundred and five thousand people, in round numbers, went to South Dakota and registered in order to have a chance to get a claim in this Rosebud country, and notwithstanding that great number of people, there never has been, so the Commissioner states, one complaint from any person, and not a contest by reason of more than one person claiming the same tract of land.

Mr. MARTIN. Mr. Chairman, I would ask my colleague to state that out of this hundred and five thousand applicants for the privilege of filing upon the lands how many entries, in fact, could have been made and were made?

Mr. BURKE of South Dakota. About twenty-five hundred in round numbers could have been made, but of those that registered not to exceed about twelve or thirteen hundred made entries.

Mr. MARTIN. So that the number of those people who could, in fact, obtain a piece of this land under homestead filing was very small.

Mr. BURKE of South Dakota. Yes; very small. Under the system that prevailed before the lottery system was adopted there could not have helped being serious bloodshed and loss of life, and there would have been litigation that would have lasted for the next twenty years between parties in contest claiming the same tract of land. But under this lottery system there has not been any complaint, but general satisfaction expressed and no contest whatever. Yet, Mr. Chairman, when you get down in the extreme East there are those who are ready to make a criticism about what is called the Government indulging in running a lottery. It is the most fair, and the only fair manner I can conceive of in disposing of such lands.

Mr. Chairman, I have endeavored to show generally that the Indians of this country are being treated very generously by the Government. I have cited the case of the Rosebuds to show that that is the fact, and that we have dealt with them in what might almost be termed an extravagant manner. I do not think that any person who knows anything about or is familiar with the Indian would say that it was for his best interest to take the money that might possibly belong to him and pay it out to him to spend as he might see fit. There is no parent, who is possessed of means, that would give any considerable amount to his child to squander. On the contrary, he would husband it and spend it for the advancement, education, and development of the child, and if possible when the child has reached his majority and shown traits of character that demonstrate that he is capable of managing property and having charge of money, that then he would pay the money out to him, or give it to him and allow him to spend it as he might see fit.

Why, Mr. Chairman, I have in mind one instance of an Indian on the Pine Ridge Reservation in South Dakota who received several hundred dollars as the result of a claim that he had for a depredation. Having received the money, he spent a con-

siderable part of it—I do not know exactly how much, but several hundred dollars—for a hearse. He had no use whatever for it, but he was attracted by it and thought it would be a nice thing to have, and so he spent his money in purchasing a hearse.

Now, I say, for the good of the Indian, and for his advancement, to say nothing of the law which we have on the subject, these moneys should be placed in the Treasury and reserved and expended only as the best interests of the Indians may seem to require.

Mr. MARTIN. Mr. Chairman, if it will not interrupt the line of thought which my colleague is pursuing, I should like to ask him to make a statement as to whether this plan which the Government has adopted in recent years of encouraging the Indians to work, and in a sense of providing work for them within the reservation, for themselves and their teams, has, in fact, encouraged them in habits of industry.

Mr. BURKE of South Dakota. I can answer that question from personal knowledge, and unhesitatingly answer it in the affirmative. While when the system was first proposed the Indians rebelled, to-day they favor it. The Government, as I believe I have already stated, instead of issuing rations and clothing to the Indians, provides work—improving roads in some instances, construction of irrigation ditches, or the hauling of freight—and the Indian receives his pay the same as any other man who labors, and the Indian finds that under this new system he is independent. Under the old system an Indian drew his rations, as a rule, every two weeks. That meant a feast for the first two or three days and starvation until the next ration day, whereas now he has his daily pay, from which he supplies his needs the same as his white brother, and, as I stated in the outset, under the new policy that prevails for the conduct of Indian affairs I do not hesitate to say that I believe the Indian has made more progress in the last ten years than in the previous fifty years, and I believe if this policy is continued, that the solution of the Indian question is, at least, in sight. How long it will take remains to be seen.

I believe that the tribal relations ought to be broken up, that as they become capable of managing their affairs the individual Indians should be allowed to have a fee simple patent to their lands, and if there are any moneys in the Treasury belonging to the tribe that they should be paid their pro rata share and be let go and in future depend upon their own efforts for their livelihood and their success. Of course I would limit this to such individual Indians as had reached such a stage of advancement as to be capable of managing their own affairs.

Mr. Chairman, the bill under consideration contains a provision authorizing the Commissioner of Indian Affairs to investigate and report to Congress upon the desirability of establishing a sanitarium for the treatment of Indians afflicted with tuberculosis. He is also to report, as far as possible, the extent of the prevalence of tuberculosis among Indians. That subject was referred to by the chairman yesterday, and there was some inquiry concerning it.

I wish to say that this is indeed a very serious proposition. In the beginning of this session I introduced a bill to establish an Indian sanitarium on the Missouri River at or near the city of Pierre, or Fort Pierre, in South Dakota, for the purpose of providing a place where Indians suffering from tuberculosis might be taken and cared for and nursed and, if possible, brought back to health.

Mr. STEPHENS of Texas. I will ask the gentleman if he does not think that the best means of preventing the increase of tuberculosis among the Indians would be to educate them on the reservations of the West, where the climate and conditions are of a sort to which they are accustomed, instead of bringing them to the East, to such places as Carlisle and Hampton, having different climates and different conditions?

Mr. BURKE of South Dakota. Mr. Chairman, I want to say that I am in favor of all the different systems of education which we have for the Indians, the reservation school, the agency school, the nonreservation school, and, if you please, the schools mentioned by the gentleman. While perhaps as an original proposition I would not be in favor of sending the Indian to a remote part of the country for his education, I do believe that the institutions the gentleman has referred to are doing and have done a great work for the development and civilization and education of the Indians of this country; and while it is true that many Indians who go away to eastern schools return to their homes affected with tuberculosis, and perhaps live but a short time, I doubt very much if statistics will show that the proportion of Indians who become affected with tuberculosis while attending school—and I do not care where the schools are located—is as great as among the Indians upon the reservations and that have never been away to school.

I am going to briefly show the condition of the Indians in South Dakota as to tuberculosis. South Dakota is known and recognized as a State where among the whites tuberculosis is not at all prevalent. It is rarely that a case of tuberculosis develops in South Dakota, while we have many people coming into the State afflicted with the disease who recover and live for many years as though they never had been affected. Consequently it can not be said that if tuberculosis is prevalent among the Indians that it is due to any climatic conditions. The bill which I have referred to was sent to the Interior Department, and a report was made thereon by the Commissioner, which was approved by the Secretary, and I am going to refer very briefly to that report. I will quote from the Commissioner's letter as follows:

> The prevalence of tuberculosis among the Indians is a matter of grave concern. While investigations made by this Office reveal an alarming situation, it is probably only in particular localities where the scourge is worse among the Indians than among whites under similar conditions. A campaign of education has begun among our own people, and if it is necessary for them it is at least as important for our Indians. In their own camps and cabins they do not have the sanitary conveniences of a modern civilized home, and one consumptive may become, through ignorance, a source of infection to numberless other persons.

To show the extent of the prevalence of this disease among the Sioux Indians I will read from this report of the Commissioner a statement made by the agency physician at the Pine Ridge Agency in South Dakota, showing the extent of the disease among the Pine Ridge Indians:

> In a recent report by Dr. Joseph R. Walker, agency physician at Pine Ridge Agency, S. Dak., a number of statistical tables were given, from which it appears that in 1905 the full-blood Indian population of the reservation was 4,875, among whom there were 561 cases of consumption during the year, of which 172 were new cases, 104 recoveries, and 109 deaths. The mixed-blood population was 1,822. Among these there were 54 cases of tuberculosis, of which 22 were new, 13 recoveries, and 6 deaths.
>
> The statistics for ten years, from 1896 to 1906, give 903 deaths from tuberculosis among the Indians and 70 deaths among the mixed bloods.
>
> The long service of Doctor Walker at Pine Ridge and his interest in this subject have enabled him to prepare tables unavailable at other reservations, but I assume that the ratio shown at Pine Ridge approximately would hold at the other Sioux reservations of North and South Dakota.

Out of a population of less than 5,000 nearly 1,000 died of tuberculosis within a period of ten years.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SHERMAN. Mr. Chairman, I yield the gentleman fifteen minutes more.

Mr. BURKE of South Dakota. A prominent physician residing in my home city, Dr. D. W. Robinson, president of the board of health of the State, recently contributed an article on the subject of tuberculosis among the Sioux to the Review of Reviews, and it is published in the March number of that magazine. Doctor Robinson is familiar with the conditions of the Sioux Indians, having resided for many years at Pierre, where I reside, adjacent to the Great Sioux Reservation. He has been for many years the physician at the Pierre Indian school, and he has made a study of this subject. In this article he states that up to about 1878 there was no tuberculosis to any extent among the Sioux Indians; that since their mode of life has been changed, and instead of moving from place to place and living in their tepees, they have been confined in small log huts, as was stated yesterday, without ventilation, without any regard whatever for sanitation, this disease has made progress among these Indians, until to-day, as stated by the Commissioner in the report to which I have referred, it is a matter of grave concern.

He says in that statement:

> It is impossible to reduce the conditions to tables and figures. The experience of several years as health officer and as physician to two Indian schools has convinced me that fully 60 per cent of the younger generation has some form of tubercular infection, and 50 per cent of those of the age of puberty die of some form of the disease.

Then he states that there is a report from the Standing Rock Reservation that 75 per cent of all deaths result from tuberculosis. He also quotes from an Indian living on the Sisseton Reservation, who has lived there for fifty years, that fully 50 per cent of them die with this disease.

Now, to illustrate that it is not necessarily a conclusion that an Indian can only acquire tuberculosis by attending some Indian school, as suggested by the inquiry of the gentleman from Texas [Mr. STEPHENS], I want to call attention to one instance. Doctor Robinson refers to it in this statement. I happen to know the family, and I can say that it was not due to the fact that the children were in school that the condition that is disclosed here resulted. He says:

> One of the striking instances in point is the destruction of a family of a noted worthy chief, John Grass. In 1892 a white friend met him

and his seven sons at a convocation of the tribe. These sons were stalwart fellows and apparently well.

In 1902, ten years thereafter, the friend again met the aged chieftain, who at once recognized the white man. He said: "You saw my boys; all gone, all died of the disease. I have no child left."

Commenting on that, he said:

It is peculiarly pathetic and appeals most emphatically to the Government for its amelioration. Most justly do these poor wards deserve some measure of relief. The Indians are not alone interested. The health of the white community is menaced by the plague spot which surrounds the agency.

Mr. Chairman, I have referred to this subject for the purpose of calling to the attention of this House the importance of some action, and some prompt action, being taken to check this disease among the Indians of the country, and to justify the action of the committee in putting in the bill a provision authorizing the Commissioner to investigate the subject and report fully to the next session of Congress.

Mr. Chairman, there is one further question to which I desire to refer before I conclude. That is the provision in the bill for an appropriation to be used in obtaining evidence and in prosecuting parties engaged in the sale of liquor to Indians. The Commissioner urges it very strongly in his report made for the fiscal year ending June 30, 1905. He states:

During the last year fresh efforts have been made by persons engaged in the liquor traffic to elude the law forbidding the introduction of liquor into the Indian country.

Up to last April whenever a person was convicted of selling liquor to an Indian it was never considered that there was a distinction as between an Indian who had taken his allotment and an Indian commonly known as a "reservation Indian." The Supreme Court, in a case entitled "The matter of Heff," held that where an Indian had taken his allotment under section 6 of the Indian allotment law he is a citizen of the State or Territory within which he resided, and that he is no longer subject to the jurisdiction of the United States. The effect of that decision has been most demoralizing among the Indians. Liquor is now sold to Indians almost as openly as to white men, and because of that fact largely I introduced at the earlier part of this session a bill which provides for an amendment to section 6 of the Indian allotment law, so that hereafter, when lands are allotted to Indians, citizenship is to be withheld until they receive their fee-simple patent. In other words, during the period of time that the Government elects to withhold the title to the land citizenship is also to be withheld and the United States will continue to exercise jurisdiction over such Indian. I speak of this because I expect to ask unanimous consent of this House within a very few days to have that bill passed. In the measure there is a provision giving to the Secretary of the Interior authority, in his discretion, whenever he believes an Indian has reached the stage of advancement and civilization where he is capable of managing his own affairs, to issue to such Indian a fee-simple patent, and with that will go full citizenship.

This bill now before the committee is filled with provisions authorizing the Secretary of the Interior to convey to Indians their allotments and relieve them from the trust features. The committee, in incorporating these provisions in the appropriation bill, followed in every instance the recommendation of the Secretary of the Interior. Our theory is that the Secretary of the Interior and the Indian Department is the Department of the Government that knows what is for the best interests of the Indian; that knows when he has reached a stage capable of managing his own affairs; and, therefore, when it recommends that an Indian be given a fee simple patent for his allotment we put it in the Indian appropriation bill—and I may say that it is subject to a point of order—and in this respect the progress, advancement, and the best interests of the Indian may be very seriously hampered and interfered with unless we have a law such as I have proposed, and such as has been recommended by the Committee on Indian Affairs. It has the very strong recommendation of the Commissioner and is approved by the Secretary of the Interior. I hope that I may be recognized at some near date to call up the bill for consideration, and I trust that every Member of the House will see the necessity and importance for the enactment of such a measure.

In conclusion, Mr. Chairman—and I have not said as much as I wanted to on the subject—I desire to again say that the policy of the Government has been most generous toward its Indian wards. There has been little occasion in recent years for criticism of the administration of Indian affairs. There is no committee of this House that gives more careful consideration to its particular business than does the Committee on Indian Affairs, under the able administration of the distinguished gentleman who has been the chairman of that committee for so many years. There is no branch of the Indian service that he is not familiar with, and every measure that comes from that committee—not only the appropriation bill, but any other bill that has to do with Indian affairs—has behind it the belief on the part of the chairman and the committee that the bill is an honest measure and one that will promote the interest of the Indians and be for their best welfare. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. KEIFER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 956) providing for the election of a Delegate to the House of Representatives from the district of Alaska, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. NELSON, Mr. DILLINGHAM, and Mr. PATTERSON as the conferees on the part of the Senate.

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. 4860. An act for the relief of Peter Fairley;

S. 4593. An act for the relief of Francis J. Cleary, a midshipman in the United States Navy;

S. 4129. An act to regulate enlistments and punishments in the United States Revenue-Cutter Service; and

S. 3433. An act to amend an act entitled "An act to divide the judicial district of North Dakota," approved April 26, 1890.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 16305. An act authorizing the Secretary of War to sell certain coal in Alaska, and for other purposes.

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 14.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be authorized in the enrollment of the bill (S. 4229) "to authorize the sale and disposition of surplus or unallotted lands of the diminished Colville Indian Reservation, in the State of Washington, and for other purposes," to change the words "section seven" to "section six" where they occur in line 40, page 3, of the enrolled bill.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 4229) to authorize the sale and disposition of surplus or unallotted lands of the diminished Colville Indian Reservation, in the State of Washington, and for other purposes.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 535. An act to amend and reenact section 1 of chapter 77 of volume 27 of the United States Statutes at Large, being "An act to provide for a term of the United States circuit and district courts at Evanston, Wyo.," approved May 23, 1892.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4128) permitting the building of a dam across the Red Lake River at or near the junction of Black River with said Red Lake River, in Red Lake County, Minn.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. SHERMAN. Mr. Chairman, the gentleman from Texas [Mr. STEPHENS] was called from the Hall for a moment, and he requested me to yield in his behalf thirty minutes to the gentleman from Pennslyvania [Mr. KLINE].

Mr. KLINE. Mr. Chairman, since the opening of the first session of the Fifty-ninth Congress, this House has had under discussion and consideration nuemrous questions of a local, national, and a few of an international importance. For more than a week the Philippine tariff bill was discussed from various standpoints, as a general economic policy, with a reference to our duty to the Filipinos and its effect upon local interests in the United States. The bill was passed with one amendment, by a vote of 278 for and 71 against the contemplated legisaltion. The Senate committee has reported the bill unfavorably, and the arduous work and labors of this House may, as it now seems, become a nullity, without any tangible or substantial results.

The statehood bill, bound and riveted by the Rules Committee, with a view to having it passed without amendment and under limited debate, now seems to have met its destiny and fate in the Senate, where, with the Foraker amendment, it is receiving, and will receive a sensible, proper, and statesmanlike consideration, with the result that the people of the Territories

of New Mexico and Arizona will not have statehood enforced upon them, either joint or several, except by their consent. [Applause.]

The rate bill was discussed at great length in all its phases, influences, ramifications, and consequences. So extensive and persuasive, indeed, were the discussions that some of us by its diversified treatment were hypnotized with the subject, and others felt as if they had become intimidated to support the bill. The legislation contemplated by the bill, however, is just and fair, both to the transportation companies and the shipper, and to my mind and judgment was subject to only a single criticism, namely, that there was no provision in the bill granting a right of appeal or review from the decision of the Interstate Commerce Commission. By reason of this omission I hesitated to support the bill.

I am, however, much gratified in the hope that this legislative measure will be perfected in the Senate by the insertion of this healthy and much needed provision of right of review or appeal. With this amendment the bill is nigh perfect and fair to all interests.

We have had under consideration many other subjects of a private and public nature, such as the granting of pensions, allowance of claims, authorizing the bridging of rivers, legislation affecting the District of Columbia and our various and remaining Indian tribes, passage of appropriation bills, Federal control of insurance companies, consolidation of custom-houses, rules to regulate the business and deliberations of this honorable body, and discussed numerous topics which from year to year arise and must engage the time and attention of Congress.

I have become interested in a measure not political in its character, in which our national banks are concerned, and in the discussion of which I invite the attention of the House for a few minutes.

At the opening of the present session of Congress I introduced a bill amending section 29 of an act approved June 3, 1864, entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof." By said bill it was contemplated to enact legislation that the total liabilities of any national banking association, of any person, or of any company, corporation, or firm for money borrowed, including in the liabilities of a company or firm, the liabilities of the several members thereof, shall at no time exceed one-tenth part of the amount of the capital stock of such association actually paid in and its surplus fund.

Under existing law the loans of a national banking association to any person, firm, or corporation are limited to 10 per cent of its capital stock, and by the bill introduced loans of this character were intended to be limited to 10 per cent of the capital stock paid in and its surplus fund.

I am told that the bill which I fathered, and other bills on the same subject, were considered by the subcommittee on banking and currency, and its provisions received favorable approval, subject to the restriction or amendment that the loans to any person, firm, or corporation by a national bank be limited to 10 per cent of the capital stock actually paid in and 10 per cent of the surplus fund, equivalent only to the extent of the capital stock of such banking institution. In other words, a national bank with $100,000 capital and $300,000 surplus, under such a bill, amended as aforesaid, could only loan to any person, firm, or corporation the sum of $20,000, namely, $10,000 on its capital and $10,000 additional, being 10 per cent on $100,000 of its surplus fund, equivalent to the amount of the capital stock actually paid in.

For some reason unknown to me (as I have observed in the newspapers and am advised) a bill known as the "Shartel bill," introduced December 18, 1905, was substituted for or selected in preference to the bill which I introduced on December 4, 1905, the first day of the present session of Congress.

Mr. GOULDEN. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. KLINE. Certainly.

Mr. GOULDEN. Do you know of any case in which that 10 per cent limitation has worked a hardship or has done any injury to a business or banking interest? I understand you are president of a national bank, and you ought to be able to tell us.

Mr. KLINE. I am not president of a national bank, but interested in banking. Yes; right in my city—Allentown, the queen city of the Lehigh Valley, and probably one of the most prosperous, progressive, thrifty, and beautiful inland cities of the United States—I know of instances where banks were unable to accommodate their customers by reason of the existing limitations on loans. The Allentown National Bank had a capitalization of $500,000 and a surplus of about $200,000. It increased its capitalization to $1,000,000 and now has a surplus of about $600,000. It could not accommodate the great cement interests and other numerous industries which were operating in my locality and the street-railway interests that center in that city. I know of another instance in that city. The Second National Bank, organized forty years ago, with a capitalization of $200,000—it was unable to accommodate its customers as desired. Two years ago it increased its capital stock to $300,000 and increased its surplus to $300,000.

Mr. GOULDEN. Will the gentleman allow another question? Does not the gentleman from Pennsylvania think this 10 per cent limitation is in the interest of the banks?

Mr. KLINE. I do not, as I shall tell you hereafter. I believe that surplus is part of the capital and should have the same benefits that capital at present enjoys.

Mr. GOULDEN. As I understand, the gentleman thinks that national banks should be authorized to make loans to the extent of 10 per cent of both their capital and surplus actually paid in?

Mr. KLINE. My opinion is that a national bank should be permitted to discount paper of any person, firm, or corporation to the extent of 10 per cent of its capital stock and 10 per cent of the surplus, subject to the limitation which has been put upon this legislation by the Shartel bill as amended by the Committee on Banking and Currency, so that the total liabilities to any bank from any one person, firm, or corporation shall in no event exceed 20 per cent of its capital stock.

Mr. GOULDEN. One more question. It has been suggested by my friend from Maryland, Mr. SMITH. That is to any one single individual, firm, or corporation?

Mr. KLINE. To any single person, firm, or corporation; yes.

Mr. GOULDEN. That is as you understand the law should be?

Mr. KLINE. Yes, sir.

Mr. PRINCE. Will the gentleman yield to a question here? Or if the gentleman prefers to have me ask it later, I will do so.

Mr. KLINE. Ask it now, please.

Mr. PRINCE. As I understand, you said that the bill which the Banking and Currency Committee had reported favorably contained a provision that you could loan only on one-tenth of the surplus paid in.

Mr. KLINE. Capital actually paid in and surplus equivalent to capital stock. That is what I said.

Mr. PRINCE. Perhaps I misunderstood the gentleman.

Mr. KLINE. If the gentleman understood me differently, it was a mistake.

Mr. PRINCE. Now, will you be kind enough to state to the committee what you understand is the nature of the bill that has been favorably reported?

Mr. KLINE. I will come to that a little later and explain just what my opinion is upon that portion of the bill. I know the bill which has been introduced by the gentleman from Missouri [Mr. SHARTEL] and amended by the Committee on Banking and Currency limits the total amount of liabilities to a national bank to 20 per cent of the capital stock.

Mr. PRINCE. Go ahead in your own way.

Mr. KLINE. The provisions of my bill and the original Shartel bill are identical in every respect. It is, however, immaterial whose name the bill on this subject bears. I am in favor of and will support such legislation enlarging the limitation of loans by national banks.

The national bankers' conventions of the United States for years have resolved and appealed for this character of Federal legislation, and the clearing-house associations in our metropolitan cities have favored such an amendment to our national banking laws.

Since the introduction of my bill (H. R. 448) I am in receipt of numerous letters from banking houses doing business in all parts of the United States, recommending and urging the passage of such legislation. Amongst others who have communicated with me on the subject are the following: Penn National Bank, Reading, Pa.; Merchants' National Bank, Allentown, Pa.; First National Bank, Bethlehem, Pa.; Allentown National Bank, Allentown, Pa.; Second National Bank, Allentown, Pa.; Second National Bank, Reading Pa.; Hanover National Bank, New York, N. Y.; Corn Exchange National Bank, Philadelphia, Pa.; Columbia National Bank, Pittsburg, Pa.; First National Bank of Pittsburg, Pittsburg, Pa.; Fourth National Bank, Cincinnati, Ohio; Chemical National Bank, New York, N. Y.; National Union Bank of Reading, Reading, Pa.; The Crocker-Woolworth National Bank, San Francisco, Cal. And I apprehend every Member of Congress has received similar requests from national banks, doing business in their several districts.

The Comptroller of the Currency has recommended in his last report, as well as in his previous reports that national banks

be allowed to loan to any person, firm, or corporation not only 10 per cent of their capital, but also 10 per cent of their surplus.

Our national banking system is a great one, but may now be a little antiquated on a few points. It was the creation and formulation of one of the greatest minds this country has ever produced. It was made necessary and operative during the exigencies of the war period. It was successful and in aid of the great prosperity, expansion, and development which the country has been enjoying for many years. When the loan limit was originally fixed in the national banking act, approved June 3, 1864, at 10 per cent of the capital stock of the banks, few banks had any large surplus, and, as the Comptroller says, it was not expected that new banks then organized would pay any surplus with their capital.

Under existing law banks of $25,000 capitalization may be organized, and do business in villages, towns, or municipalities having a population less than 3,000. In towns with less than 6,000 people they may capitalize at $50,000; in cities or municipalities having a population of more than 6,000 and less than 50,000, national banks can not be capitalized at less than $100,000, and in cities having a population in excess of 50,000 the capitalization must be $200,000 at least.

The national banking system has during its operation become very popular, and its uses, conveniences, and benefits are in large demand in all parts of the country. They have multiplied and increased in numbers very largely since the act of 1900 authorizing the incorporation of banks with a capital of $25,000 in communities having a less population than 3,000.

As an evidence of their popularity, strength, and uses the following figures are supplied as to their number, capital stock, and amount of deposits. On or about June 30, 1905, there were in the United States, including the insular possessions, 5,668 national banks, with a capital of $791,567,231, and deposits aggregating $3,783,658,494.

The growth and popularity of national banks is further evidenced by the following statistics, indicating the number of banks, capitalization, surplus, and net earnings during and in five-year periods, from March 1, 1880:

Date.	Number of banks.	Capital.	Surplus.	Net earnings.	Ratios, dividends to capital.
Mar. 1, 1880	2,046	$454,080,090	$117,226,501	$21,152,784	3.99
Mar. 1, 1885	2,650	522,859,715	148,771,121	21,601,202	3.91
Mar. 1, 1890	3,294	615,405,545	204,546,434	35,284,539	4.27
Mar. 1, 1895	3,729	693,971,505	246,552,149	23,397,885	3.64
Mar. 1, 1900	3,587	604,755,505	253,475,808	40,151,038	4.01
Mar. 1, 1903	4,596	710,281,395	343,713,237	53,059,990	4.43
Sept. 1, 1903	4,805	735,314,217	362,497,812	55,921,540	4.37
Jan. 29, 1906	5,911	814,987,743	442,590,192	----------	----------

The growth of national banks is also evidenced by the following statement, during periods, commencing September 30, 1892, of the loans and amounts due to depositors:

Date.	Number of banks.	Loans.	Due to depositors.
Sept. 30, 1892	3,773	$2,171,000,000	$1,779,300,000
Sept. 22, 1895	3,712	2,059,400,000	1,715,200,000
Sept. 20, 1898	3,585	2,172,500,000	2,106,600,000
Sept. 30, 1901	4,221	2,051,700,000	3,044,600,000
Sept. 9, 1903	5,042	3,508,600,000	3,305,900,000
Jan. 29, 1906	5,911	4,071,041,164	4,088,420,135

It is safe to say that the original idea of the present law, limiting loans to 10 per cent of the capital stock actually paid in, was to prevent the directors of a bank from taking all the money in it, and so as to curb them, because deposits in banks in those days were not of any importance, relatively to the capital, compared with what they are now. Since that period the magnitude of business is so much greater and the amounts to be handled so very much larger that the existing law, limiting and restricting the amount of loans, hampers and inconveniences real banking to-day. Then the business was measured and done with thousands and tens of thousands; now the large business, mercantile and industrial, interests are conducted with hundreds of thousands and millions of dollars. It is thus very apparent why the existing limitation of loans should be enlarged, as contemplated by the several bills introduced on this subject. A national bank with, say, $100,000 capital and $300,000 surplus—and there are numerous banks that have a proportionate surplus—is much hampered, and its usefulness largely destroyed by said limitation, in being permitted only to loan to an amount of 10 per cent of its capitalization, to wit, $10,000. Those opposing this class of legislation may say: "If such or these banks are hampered by this restriction on their business, let them enlarge their capitalization in accordance and in proportion with the demands of their trade." But why should that be necessary when the bank has a large surplus? Surplus is practically capital. A large surplus is an evidence of the bank's financial strength and successful continuance of business. Surplus is earned capital, and is largely in aid of the confidence of the public in the bank and its intrinsic ability to pay its obligations. Surplus is and has been treated as capital for purposes of taxation. The late revenue laws enacted during the Spanish war decided this point, when it was expressly stated that for the purposes of taxation, in computing capital, surplus must be included.

In some States trust companies and banking institutions, incorporated under State laws, are required to pay a tax, not only on the capital, but on the surplus and undivided profits as well; and in other States (amongst others Pennsylvania) the tax is based upon the market value of the stock, which is enhanced and usually fixed by the par value of the stock, its surplus and undivided profits. If surplus shall bear the burdens of taxation, it should certainly also, on the contrary, be allowed to enjoy some of the advantages which are by law granted and accorded to capital. May I ask, Which bank has the greater strength, credit, and confidence in the community, the one capitalized at $500,000, with a surplus of $1,000,000, or the one with a capitalization of $1,500,000, without a surplus? It goes without saying, the former with a large surplus.

The exigencies and opportunities of business at this time are such that the restriction of the present law is onerous; and, as I have indicated, frequently harmful to the bank's best interests. It is a restriction which in the past has not always been observed. The Comptroller of the Currency says that a very large number of excess loans have been reported, but that there is no way of punishing a bank which so offends except by taking away its charter. Manifestly this would be a punishment out of all proportion to the offense, and it is no wonder the Comptroller considers its application unadvisable.

At this point I desire to use the language and sentiment of Mr. F. H. Skelding, president of the First National Bank of Pittsburg, with a capital of $1,000,000 and a surplus of $2,400,000, in a communication addressed to me on this subject, and in which he granted me the liberty to make use of his letter in connection with the proposed legislation as my judgment might dictate. He says:

> Bank officers should be the best judges of the amount of credit to extend to their customers, and a strong bank with a large surplus should not be hampered in its operations regarding the amount of money which it may lend to a single borrower by the rule which applies to banks possessing no surplus whatever.
>
> It is far better to have a law which is not onerous, and which can and should be enforced, than the present one, which is constantly being broken or ignored, the punishment for which is so out of proportion to the transgression that the authorities do not attempt to enforce it.

The president of the Fourth National Bank of Cincinnati, Ohio, says:

> By reason of changes in all lines of business a change (referring to limitation of loans) is almost imperative.

It would seem, as the Comptroller said in substance, if it is safe for a bank with $200,000 capital and no surplus to loan $20,000, it should be equally safe for one with $75,000 capital and $125,000 surplus to loan an equal amount of $20,000.

State banks, savings institutions, trust companies, and insurance companies, with their banking methods, have in late years become potent, progressive, and popular rivals or competitors of national banks. The expansion and enlargement of the business of State banks and trust companies has been marvelous, and has increased to unexpected and immense proportions. Their business and number has to a great extent overlapped the business and number of national banks in the United States, as is shown by the following figures:

On or about June 30, 1905, there were in the United States 14,242 State banks and trust companies, with a capitalization of $748,263,149, and deposits aggregating $8,002,662,822.

Mr. GOULDEN. Mr. Chairman, I wish to know, as the gentleman is so very familiar with this subject, whether or not the laws governing and regulating State banks and trust companies are inadequate, and whether or not they have entirely too much authority in the financial world?

Mr. KLINE. To that interrogatory or question, I reply that that is not a matter for Federal legislation. The legislatures of the several States should legislate concerning that subject; and if I was a member of a State legislature and a question of a similar character were to come up, I would put the same limitation upon the rights and powers of trust companies, State banks, and savings institutions, upon this subject, that I am asking for to-day, so far as national banks are concerned.

Mr. GOULDEN. Thank you. Mr. Chairman, I asked the gentleman this question because I wanted his opinion, and because it coincides with mine and is sound.

Mr. KLINE. The following comparatively indicates the deposits of all banks, State and national, at the periods indicated:

1890.	
National banks	$1,521,745,665
Savings banks	1,524,844,506
State banks	553,054,584
Loan and trust companies	336,456,492
Private banks	99,521,667
1895.	
National banks	$1,736,022,007
Savings banks	1,810,597,023
State banks	712,410,423
Loan and trust companies	546,652,657
Private banks	81,824,932
1900.	
National banks	$2,458,092,758
Savings banks	2,449,547,885
State banks	1,266,735,282
Loan and trust companies	1,028,232,407
Private banks	96,206,049
1903.	
National banks	$3,200,993,509
Savings banks	2,935,204,845
State banks	1,814,570,163
Loan and trust companies	1,589,398,796
Private banks	133,217,990
June 30, 1905.	
National banks	$3,783,658,494
All State banks, including trust companies	8,002,662,822

State banks and trust companies have numerous advantages and opportunities not possessed by national banks. Trust companies are enabled to engage in almost every class of business, namely, the administration of trust estates; they may become registrars of stock, trustees in corporate mortgages, sureties in nearly all cases where bail is required under State laws; they may become guardians, trustees, executors, and administrators, may make loans on judgments, mortgages, and other securities, and may engage in innumerable other kinds of business which national banks are not permitted to transact; they may make loans unlimited in amount, and are only limited in loans made to the directors or officers of the institution, and therefore, by reason of their extensive powers and facilities, have better opportunities for making profit for the stockholders and accommodating their customers.

The only advantages that national banks now have not possessed by State institutions are that they are enabled to secure circulation and Government deposits upon depositing Government bonds, under the restrictions, limitations, and rules enforcible by the national banking laws. The modes of examination and supervision governing State banks and national banks are almost identical, except that the former make their reports to and are examined by the banking department of the State, and the latter make their reports to and are examined by and through the Comptroller of the Currency. By reason of the superior advantages and opportunities possessed by State banks and trust companies, as heretofore indicated, a large number of national banks have wound up their business and had themselves incorporated under State laws. On January 29, 1906, 5,911 national banks were in operation. In all, 8,050 banks were organized. Of this number, 443 have become insolvent and 1,696 have gone into liquidation.

Inasmuch as there is no limitation of loans made by State institutions, except loans made to its directors and officers, the limitations of loans by national banks should be enlarged, as provided by the legislation proposed, and by the enlargement of this power national banks would have similar opportunities to make loans as those now possessed by banking institutions incorporated under State laws.

It has been suggested, however, by some that the authority to loan to the extent of 10 per cent on the surplus fund should be limited to so much of the surplus fund, equivalent to the amount of the capital stock actually paid in, so that the total liabilities shall in no event exceed 20 per cent of the capital stock. This may be a wise limitation, and the reason suggested for this restriction is that national banks might incorporate with a small capital and create a large surplus fund, much larger than the capital stock, whereby the security of the depositors and creditors of the bank would be impaired, and the interests of that class of people might become jeopardized.

If the legislation contemplated should be enacted into law, national banks should also be compelled strictly to comply with the law. Under existing law, banks making loans beyond the 10 per cent limitation can only be disciplined through the Comptroller of the Currency, through the institution of a suit, or proceedings for the forfeiture of the charter. For a violation of the provisions of the national-banking act on this subject there is now no penalty but death to the corporation if the Comptroller chooses to enforce the remedy. He is not the original violator of the law. It is the board of directors and officers of the bank that violate the law when they transcend their authority and not the Comptroller of the Currency, and an amendment to this contemplated legislation, or existing law, making the directors and officers of the bank offending guilty of a misdemeanor, triable in the district court of the United States and punishable by fine or some other proper penalty, would be a wise provision and a proper safeguard for the protection of both the stockholders and depositors of the institution.

I am heartily in favor of the proposed legislation. Without exception, the national banks of the country favor it. This limitation of loans by national banks should be enlarged in order that they may accommodate their customers. They should have privileges similar to those now possessed by savings banks and trust companies, so that they may no longer be hampered by existing restrictions, and that they may be enabled to compete for business on an equal basis with financial institutions incorporated under State laws. Their surplus is as sacred as their capital stock, and the limitations now existing should be removed and enlarged, as contemplated by the several bills introduced on this subject.

I ask permission that Abstract of Reports of Condition of National Banks, No. 47, made and prepared by the Comptroller of the Currency and issued as of February 24, 1906, be inserted in the RECORD at this point as a part of my remarks.

The matter referred to is as follows:

[Abstract of reports of condition of national banks—No. 47.]

Abstract of reports of condition of national banks in the United States on March 14, May 29, August 25, November 9, 1905, and January 29, 1906.

	Mar. 14, 1905—5,587 banks.	May 29, 1905—5,668 banks.	Aug. 25, 1905—5,757 banks.	Nov. 9, 1905—5,833 banks.	Jan. 29, 1906—5,911 banks.
RESOURCES.					
Loans and discounts	$3,851,858,472.90	$3,899,170,328.32	$3,998,509,152.62	$4,016,735,497.99	$4,071,041,164.84
Overdrafts	36,375,221.89	30,367,466.35	29,905,633.72	54,473,855.67	47,256,537.93
U. S. bonds to secure circulation	440,80[illegible],640.00	457,502,540.00	477,592,630.00	493,679,340.00	505,723,560.00
U. S. bonds to secure U. S. deposits	95,855,800.00	74,289,450.00	61,847,570.00	57,559,800.00	57,825,380.00
Other bonds to secure U. S. deposits	4,349,410.00	7,526,101.20	6,308,131.28	7,623,416.01	7,172,769.81
U. S. bonds on hand	17,558,850.00	16,108,500.00	12,041,410.00	10,536,940.00	9,352,380.00
Premiums on U. S. bonds	15,030,722.49	14,490,434.62	14,375,131.51	13,726,692.03	12,913,510.59
Bonds, securities, etc	642,778,943.25	669,545,598.84	667,177,767.76	657,943,673.32	652,443,986.45
Banking house, furniture, and fixtures	128,144,430.56	130,006,135.39	132,987,384.56	136,006,309.64	138,564,972.90
Other real estate owned	20,519,501.27	20,154,800.77	19,926,274.48	20,487,751.57	20,661,526.19
Due from national banks	329,177,405.92	332,143,552.94	320,743,427.49	348,417,657.89	342,446,563.53
Due from State banks and bankers, etc	123,445,301.66	112,388,835.07	113,466,291.74	124,998,489.03	123,398,688.23
Due from approved reserve agents	594,094,119.63	562,495,160.15	605,464,479.80	569,121,818.42	598,697,066.12
Checks and other cash items	25,260,772.64	28,111,820.50	23,031,600.43	28,260,936.52	30,035,519.81
Exchanges for clearing house	287,122,185.75	267,856,167.53	265,080,927.79	340,428,162.01	421,600,088.30
Bills of other national banks	27,515,271.00	28,824,161.00	29,182,653.00	31,183,857.00	30,595,424.00
Fractional currency, nickels, and cents	1,854,387.26	1,798,508.32	1,859,804.33	1,817,487.94	2,102,096.56
Specie	483,249,060.39	479,635,070.78	495,479,452.93	460,934,467.89	492,568,374.74
Legal-tender notes	157,904,573.00	169,629,979.00	170,073,847.00	161,157,612.00	175,734,915.00
Five-per-cent redemption fund	21,460,689.87	22,208,658.63	23,280,126.70	24,047,836.69	24,721,911.93
Due from Treasurer of United States	3,771,926.68	3,552,605.27	4,017,141.50	3,927,131.93	4,069,606.59
Total	7,308,127,686.16	7,327,805,874.68	7,472,350,878.64	7,563,155,823.55	7,769,826,583.52
LIABILITIES.					
Capital stock paid in	782,487,884.67	791,567,231.32	799,870,229.00	808,328,658.00	814,987,743.00
Surplus fund	408,888,534.08	413,436,145.71	417,757,591.42	420,785,055.00	442,590,192.69
Undivided profits, less expenses and taxes	194,667,181.00	201,855,091.02	202,536,366.23	212,371,042.49	193,779,046.37
National-bank notes outstanding	430,955,178.50	445,455,717.50	468,979,788.50	485,521,670.50	498,238,538.00

Abstract of reports of condition of national banks in the United States on March 14, May 29, August 25, November 9, 1905, and January 29, 1906—Continued.

	Mar. 14, 1905—5,587 banks.	May 29, 1905—5,668 banks.	Aug. 25, 1905—5,757 banks.	Nov. 9, 1905—5,833 banks.	Jan. 29, 1906—5,912 banks.
LIABILITIES—continued.					
State-bank notes outstanding	$40,344.50	$30,973.50	$30,972.50	$30,972.50	$30,973.50
Due to other national banks	812,378,655.55	790,421,572.98	832,078,395.74	777,165,729.63	825,732,807.01
Due to State banks and bankers	318,788,438.81	325,349,412.83	354,253,517.22	348,631,097.97	364,221,046.34
Due to trust companies and savings banks	386,543,992.20	393,825,032.79	404,183,168.12	339,112,588.75	368,223,878.59
Due to approved reserve agents	37,916,423.26	37,572,634.34	34,362,500.71	39,127,292.53	37,316,988.52
Dividends unpaid	915,406.78	1,328,776.08	993,490.14	1,770,894.60	1,861,847.86
Individual deposits	3,777,474,006.12	3,783,658,494.42	3,820,681,713.23	3,989,522,834.51	4,088,420,135.60
U. S. deposits	84,705,235.83	65,570,520.69	52,351,688.22	51,600,587.23	52,207,533.07
Deposits of U. S. disbursing officers	8,517,157.53	9,727,823.57	9,738,611.35	9,685,067.89	9,809,358.44
Bonds borrowed	34,819,906.69	34,886,467.43	38,485,468.75	36,590,097.50	37,396,386.12
Notes and bills rediscounted	6,092,005.30	5,590,563.75	6,911,508.71	7,369,244.45	5,103,174.63
Bills payable	16,911,531.59	21,573,416.52	23,181,411.02	28,497,673.59	21,514,855.84
Reserved for taxes			2,360,697.34	2,684,200.47	1,382,784.47
Liabilities other than those above	6,025,803.75	5,956,000.23	3,593,760.44	4,361,115.94	7,069,496.47
Total	7,308,127,686.16	7,327,805,874.68	7,472,350,878.64	7,563,155,823.55	7,769,826,583.52

Number of national banks organized, insolvent, in voluntary liquidation, and in operation on January 29, 1906.

States.	Organized.	Insolvent.	In liquidation.	In operation.
Maine	107		25	82
New Hampshire	68	4	8	56
Vermont	73	7	16	50
Massachusetts	305	11	83	211
Rhode Island	65		40	25
Connecticut	104	4	21	79
Total, New England States	722	26	193	503
New York	581	44	155	382
New Jersey	165	7	16	142
Pennsylvania	804	26	95	683
Delaware	24			24
Maryland	100	1	9	90
District of Columbia	22	3	6	13
Total, Eastern States	1,696	81	281	1,334
Virginia	109	6	16	87
West Virginia	93		13	80
North Carolina	63	4	9	50
South Carolina	33	1	7	25
Georgia	93	6	14	73
Florida	47	8	4	35
Alabama	96	7	15	74
Mississippi	32	2	6	24
Louisiana	51	6	10	35
Texas	541	28	96	457
Arkansas	39	4	5	30
Kentucky	170	5	37	128
Tennessee	108	7	31	70
Total, Southern States	1,515	84	263	1,168
Ohio	523	20	154	349
Indiana	291	14	76	201
Illinois	470	20	95	355
Michigan	190	14	88	88
Wisconsin	171	5	49	117
Minnesota	284	8	41	235
Iowa	378	13	79	286
Missouri	180	11	62	107
Total, Middle States	2,487	105	644	1,738
North Dakota	128	13	9	106
South Dakota	104	9	20	75
Nebraska	241	20	56	165
Kansas	300	35	90	175
Montana	54	10	14	30
Wyoming	25	2	3	20
Colorado	114	9	24	81
New Mexico	33	4	6	23
Oklahoma	118	6	11	101
Indian Territory	146	1	5	140
Total, Western States	1,263	109	238	916
Washington	93	23	34	36
Oregon	63	6	12	45
California	125	6	15	104
Idaho	35	1	6	28
Utah	24	1	6	17
Nevada	6	1	1	4
Arizona	16		3	13
Alaska	2			2
Total, Pacific States	364	38	77	249
Hawaii	2			2
Porto Rico	1			1
Total, island possessions	3			3
Total, United States	8,050	443	1,696	5,911

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BUTLER of Pennsylvania having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed bills of the following titles:

On March 5, 1906:

H. R. 13308. An act to authorize the construction of a bridge across the Arkansas River at Pine Bluff; and

H. R. 13365. An act to amend an act entitled "An act authorizing the Kensington and Eastern Railroad Company to construct a bridge across the Calumet River," approved February 7, 1905.

On March 6, 1906:

H. R. 297. An act to authorize the construction of dams and power stations on the Tennessee River at Muscle Shoals, Alabama; and

H. R. 10067. An act authorizing the disposition of surplus and allotted lands on the Yakima Indian Reservation, in the State of Washington, which can be irrigated under the act of Congress approved June 17, 1902, known as the "reclamation act," and for other purposes.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. STEPHENS of Texas. Mr. Chairman, I yield an hour to the gentleman from Georgia [Mr. BRANTLEY].

Mr. BRANTLEY. Mr. Chairman, I desire to discuss some of the reasons assigned for the passage of the bill (H. R. 5281) to remove discriminations against American sailing vessels in the coasting trade and to urge upon the serious attention of the House some of the many objections against its passage. It presents no new question, because for the past twenty-five or thirty years, or longer, this same bill, or in substance the same, has been regularly presented in each Congress and has as regularly met a just and righteous defeat. There is not very much that is new that can be said either for or against it, for the argument has been thrashed out time and again. The continuous and persistent refusal of Congress, however, for all these years to enact it into law furnishes very strong presumptive evidence in support of the claim now made that it is unwise, unjust, unfair, and productive only of harm, if sanctioned by the Congress.

DISCRIMINATIONS.

That occasional instances of unfairness and of discriminations have sometimes occurred in the administration of some of the State laws on pilotage I will not undertake to deny. The charge has been made that such discriminations have been practiced, and as I know nothing of the facts upon which any specific charge is made I can not discuss them. I submit, however, that such occasional discriminations, if they do occur, furnish no argument in favor of the passage of this bill. They are not germane to the real question Congress has to determine before it can pass this bill. I maintain, in the first place, that the pilotage laws of the several States, as a rule, are fair and just, and if they are violated or improperly executed there is a complete remedy within the State. Some specific complaint has been made as to pilotage charges at Gulfport, Miss., and I see in the newspapers that this week a committee was appointed by the Mississippi legislature to investigate these charges. If overcharges or discriminations exist there, the Mississippi legislature has full power to provide a remedy, and I have no doubt will do so.

I maintain, in the second place, that if any State should undertake to enact or enforce any pilotage law discriminating against the vessels of other States in favor of its own vessels engaged in interstate commerce, such law would be void and would be so held by all the courts of the country. It is a fun-

damental rule, long since declared by the Supreme Court of the United States, that one State can not discriminate against another State in its own favor in matters of commerce. And more than this, the Congress of the United States, in 1866, passed a law on this very subject, and the same is now found in section 4237 of the Revised Statutes, as follows:

No regulations or provisions shall be adopted by any State which shall make any discrimination in the rate of pilotage, or half pilotage, between vessels sailing between the ports of different States, or any discrimination against vessels propelled in whole or in part by steam, or against national vessels of the United States; and all existing regulations or provisions making any such discriminations are annulled and abrogated.

No State can violate this law or enact laws of its own in conflict therewith. It follows, therefore, that if any discriminations are or should be practiced by any State in the matter of its pilotage laws or their enforcement the remedy is ample and complete in the courts of that State and the courts of the United States. It also follows that such discriminations, if they now or shall hereafter exist, furnish no justification or excuse for the passage of the pending bill. Because crimes of all sorts are committed in a State furnishes no argument in favor of taking away from that State all power to punish crimes.

The majority of the committee, in their report favoring the bill, cite as an argument in favor of its passage a law of the State of South Carolina which, it is alleged, discriminates in favor of South Carolina vessels. It is not an open question that a law making such discrimination is unconstitutional. The old pilotage law of Georgia contained such a discrimination, and, upon appeal being made to the courts, the supreme court of Georgia declared it unconstitutional. The case came to the Supreme Court of the United States, and is reported in 118 United States, page 90; and this court likewise held the discriminating law unconstitutional and void. A later case is reported in 195 United States, 332. The Texas pilotage laws discriminated in favor of Texas ships. The courts of Texas held the discriminating clauses in the law to be void, and the Supreme Court concurred in this view. The opinion of the court in this case is quoted from by the majority of the committee in a way to indicate a suggestion from the court that Congress should legislate on this subject. The court expressly refused to make any such suggestion. The court disposed of the argument that the Texas pilotage laws were in violation of the fourteenth amendment and in violation of the antitrust laws, and said there could be no unlawful monopoly in any case where the chosen officers of a State performed a duty imposed upon them by law, and that all such argument was merely argument against national or State regulation of pilots. The court then said:

When the propositions just referred to are considered in their ultimate aspect, they amount simply to the contention, not that the Texas laws are void for want of power, but that they are unwise. If an analysis of these laws justified such a conclusion—*which we do not at all imply is the case*—the remedy is in Congress, in whom the ultimate authority on the subject is vested, and can not be judicially afforded by denying the power of the State to exercise its authority over a subject concerning which it has plenary power until Congress has seen fit to act in the premises.

The real question to be here considered is whether this bill, under the guise of removing discriminations, does not, in truth and in fact, impose a discrimination far more serious in its effect and consequences than the alleged discriminations sought to be removed. That this is its purpose and will be its effect, is clearly shown by its slightest consideration.

THE PRESENT LAW.

The First Congress, that assembled in 1789, enacted what is now known as section 4235 of the Revised Statutes, to wit:

Until further provision is made by Congress, all pilots in the bays, inlets, rivers, harbors, and ports of the United States shall continue to be regulated in conformity with the existing laws of the States respectively wherein such pilots may be, or with such laws as the States may enact for the purpose.

From the time of the first Congress until the time of the Fifty-ninth Congress, now in session, this has been the law. In the very beginning of our Government, in the wisdom of its founders, it was deemed wise and best, owing to the varying conditions existing in the different States and at the different ports of the country, to leave each State free to enact such pilotage laws as it might deem best suited to build up and maintain and protect its own commerce. It was realized that if Congress undertook to provide a uniform pilotage system for all the States, such a system, while it might be wise and helpful to one State, would be most injurious to another, and that under the operation of a uniform rule the ports of one State would flourish while the ports of another would suffer, and that in this way the operation of a uniform rule would result in Congress directly discriminating in favor of one State as against another, contrary to the fundamental principle upon which the Government was founded.

The wisdom of the policy inaugurated by the fathers of this country has been upheld and sustained time and again by the Supreme Court of the United States, and has further been sustained by every Congress which has met since the Government was founded in the steadfast refusal of each succeeding Congress to change it.

The Supreme Court, in the case of Cooley *v.* Port Wardens (12 Howard, 399), said:

The act of 1789 contains a clear and authoritative declaration by the first Congress that the nature of this subject (pilotage) is such that until Congress shall find it necessary to exert its power it should be left to the legislatures of the States; *that it is local and not national; that it is likely to be best provided for not by one system or plan of regulations, but by as many as the legislative discretion of the several States shall deem applicable to the local peculiarities of the ports within their limits.*

Under this policy the various States have adopted and maintained such systems of pilotage as to them have appeared best to meet their needs. Some of the States, and perhaps the most of them, have, in the course of time, found themselves able to maintain a pilotage system without requiring compulsory fees to be paid by coastwise vessels. Many of them have found that in the development of their foreign trade they were able to maintain their pilotage system by compulsory pilotage fees only from all foreign vessels. Some of them, I believe, perhaps a very few, have abolished compulsory pilotage upon all vessels. The important fact to bear in mind, however, is that each State has enacted such laws as it thought best suited to its interest. Each State has been guided by its own judgment as to what was best for the development and maintenance and protection of its commerce. We now have presented the proposition that this free choice of policy so long exercised by all the States shall be denied to such of the States as have not seen proper or have not been able to follow the policy adopted by other States.

This bill can not affect such States as have already abolished, of their own accord, compulsory pilotage upon coastwise sailing vessels. It is aimed solely at those States that have not abolished such compulsory pilotage. It is, therefore, a discrimination of the rankest sort and of the most fundamental character, for it is a discrimination against sovereign States. It compels certain States to do that which other States have voluntarily done. It denies to certain States the free choice of policy that the other States have enjoyed. It requires by compulsion certain States to do away with compulsory pilotage on coastwise sailing vessels, and it does this utterly without inquiry into and without regard to the question as to whether or not these States so discriminated against would be able thereafter to maintain a pilotage system at all.

Mr. GOULDEN. Mr. Chairman, I desire to ask the gentleman from Georgia whether it is not the purpose of those States for which he is now speaking to abolish as rapidly as possible the compulsory pilotage system now there?

Mr. BRANTLEY. Undoubtedly they will do it just as rapidly as they can and maintain and protect their commerce.

Mr. GOULDEN. The gentleman is aware that Wilmington Harbor, Delaware, has been released from compulsory pilotage. And that is the purpose in all the States for which the gentleman is speaking, in regard to the compulsory pilotage system.

Mr. BRANTLEY. Undoubtedly it is the purpose, as it is to the real interest of every State, to do away with compulsory pilotage and to lighten and lift every burden upon its commerce just as quickly as it can do so consistently with the safety and protection of that commerce. If the States against which this bill is aimed, or any of them, have not succeeded in building up sufficient foreign trade to maintain a system of pilotage, it necessarily follows that the system or systems now existing within them will be abolished or become ineffective—if this bill passes—with no means of providing another system by any method heretofore or now known of maintaining a pilotage system. The bill, therefore, whatever may be the purpose or motive behind it, if enacted into law, will impose a most serious and unjust discrimination against certain States of the Union.

STEAMERS.

In 1871 Congress enacted quite a lengthy law in reference to inspection of steamboats, and included within it a provision relieving vessels propelled by steam and engaged in the coasting trade from the operation of the compulsory pilotage laws of the States. From that day until this the contention has been made that sailing vessels engaged in the coasting trade are discriminated against in favor of steamers, and the purpose of this bill, as of all similar bills on the subject, has been ostensibly to remove this alleged discrimination. It has never seemed to occur to the advocates of this bill that the just and proper remedy for the alleged discrimination about which they complain would be to repeal the act of 1871, so as to place steamers and

sailing vessels upon the same footing as to pilotage. This method of removing the alleged discrimination would be fair to all the States and to all the interests involved. It would leave each State free to impose such pilotage fees as it thought wise, and would divide the burden of maintaining a pilotage system between the steamers and the sailing vessels, and would, no doubt, result in the diminution of pilotage fees generally. This method of removing the alleged discrimination, however, is not popular with the advocates of the proposed bill, and for the reason that what the advocates of the bill really desire is not the removal of a discrimination, but the saving of pilotage fees.

Mr. GOULDEN. Will the gentleman allow me an interruption?

Mr. BRANTLEY. Yes, sir.

Mr. GOULDEN. Is not the gentleman aware that the sailing vessel is an entirely different proposition from the steam vessel; that sailing vessels make few trips yearly to the various ports, and therefore the masters are not familiar with these ports, whereas the steamships are usually regular visitors, and they have aboard of them mates and captains who thoroughly understand the channels? Therefore you can exempt steam vessels where you can not exempt sailing vessels?

Mr. BRANTLEY. I will say to the gentleman that I live in a seaport and have some little familiarity with shipping, and that identical proposition I propose to discuss in my remarks. Certain vessel owners, in order to increase their profits, are willing to take the chance of losing property and imperiling life by doing away with pilots everywhere. They boldly declare before the committee that they do not need them. Only certain vessel owners, however, take this position, and as against their view there appears in the hearings of the committee a multitude of protests from masters of vessels, underwriters, commercial organizations, labor organizations, health officials, and various bodies and persons, all connected with the commercial world, protesting against the passage of this bill.

I can not undertake to say what the purpose of Congress was in relieving steam vessels from the operation of State compulsory pilotage. It may have been to encourage the steamboat industry, or it may have been for some other purpose. The purpose is not revealed in the debate on the act of 1871. The fact that the very lengthy bill at that time enacted contained a provision relieving steam vessels from compulsory pilotage does not appear to have been referred to at all in the debate. Attention does not seem to have been directed to it, so that we are in ignorance as to the purpose that was in the mind of the Congress at the time.

All men know, however, that sailing vessels stand in much greater need of pilots than do steam vessels. Steamers engaged in the coasting trade, as a rule, make regular trips at close intervals from port to port, and their masters become familiar with the entrance into these ports. The speed and direction of a steamer is always under control and it can feel its way cautiously through an unknown channel, while the sailing vessel visits the ports less frequently and is largely at the mercy of the wind and the waves and can not feel its way. But, more than all this, there is no real competition between a sailing vessel and a steamer in the matter of freights. Where certainty as to the time of delivery and promptness as to delivery are required, the steamer is and always will be given the choice, regardless of what the rate of freight may be, but with all freight where promptness of delivery and certainty as to time are not required it is impossible for a steamer to compete with a sailing vessel in the matter of freight charges. The sailing vessel has no fuel to buy or to carry. The space that would be devoted to fuel and to machinery is carrying space. No engineers and firemen are required, and the operating expenses of the sailing vessel are far less than those of the steamer. When people are in a hurry to have their goods delivered the sailing vessel has never and never will be able to compete with the steamer, and the situation in this respect would not be changed in any particular by the abolishment of all pilotage laws in the United States.

Mr. GOULDEN. Will the gentleman permit a statement right here?

Mr. BRANTLEY. Yes, sir.

Mr. GOULDEN. The sailing vessels not only require this pilotage system for their own protection, but they require it for the protection of all craft on the river. They are a danger and a menace to steam vessels and all others, because they are not able to go directly in and out of your channels. I would ask the gentleman, living, as he does, at a seaport, if that is not true?

Mr. BRANTLEY. That is true; and I am glad the gentleman made the statement.

PETITIONS FROM SHIPPERS.

It is rather an interesting fact that quite a number of shippers of lumber and other products in some of the States to be affected by the pending bill have telegraphed and written, as appears in the report of the committee favoring the bill, urging that this proposed legislation be enacted. Exactly how it is to benefit them will not appear if consideration is given to the testimony of Mr. Pendleton, a sailing-vessel owner and the chief advocate of the bill. I find on page 57 of the report of the committee his statements as to the earnings of certain vessels. He admits that the low earnings of these vessels is exceptional. He reports the case of a vessel loaded at Norfolk that only netted the owners $90.67 on the voyage. He reports the case of another vessel out of which the owners only received net $312 for the voyage. He reports the case of another vessel, loaded at Charleston, where the owners only received $116.32 as the net earnings of the voyage. His plea is that these vessels ought to earn more money, and that but for compulsory pilotage they would have earned, in addition to the amounts above quoted, in the case of one vessel, $270.40; in the case of another vessel, $173.22, and in the case of the other vessel $179. His purpose in urging the passage of the pending bill is to save pilotage fees to the vessels and thereby increase their earnings. The question naturally arises, If the vessels are to be the beneficiaries of the saving of pilotage fees, how are the shippers to be benefited? He makes no plea for shippers, but pleads always and all the time for vessel owners. The purpose of this bill is not to help shippers. Its purpose is revealed in its title. It is to remove discriminations, not against shippers, but against sailing vessels.

Mr. GOULDEN. Before leaving that, I would like to ask the gentleman now, inasmuch as he is quoting from a large shipowner, whether he has a full list of all of his sailing vessels, and thus is able to strike an average of profit upon each one of them. He has simply given a few of them, as I understand it, and has not given the total list of vessels. He may have made a large profit on many of those vessels, and there should be a just average struck, so that we might know whether or not that trade is a paying one to the owner of the ship.

Mr. BRANTLEY. I have not the full list; but I stated that Mr. Pendleton admitted that the figures given by him were exceptionally low earnings as to the particular vessels. As a matter of fact, his business is profitable, evidenced by the fact of his statement that he is the owner of 100 of these vessels, and it must be evident that he does not own them because they are unprofitable, but because they are profitable.

Mr. GOULDEN. That is what I desired to do—to bring out that point.

Mr. BRANTLEY. There is a more important feature, however, in connection with the shippers that deserves consideration, and that is if the shippers in any State believe the pilotage laws of their State are onerous or burdensome upon commerce the State has full power to grant relief, and they should appeal to the State legislature and not to the Congress. The matter is one that has been within the power of the States to control ever since the Government was founded.

I do not speak against a revision of the pilotage laws in my State or in any other State. I do protest, however, against taking all power in the matter from the States and transferring it to the National Congress. The folly of stripping the States of power in the matter was forcibly stated in a speech delivered upon this floor in the Fifty-fourth Congress by the late Amos J. Cummings, then and always a gallant and eloquent defender not only of the pilots, but of the right of the States to regulate and maintain their own pilotage systems. He called attention to the fact that after over fifty years of compulsory pilotage the State of New York, in 1845, repealed all of its pilotage laws, and for eight years any person desiring to do so could lawfully act as a pilot; that at the expiration of these eight years the ship *New Era* appeared off the New Jersey coast with a load of immigrants from Antwerp, and that the captain, although hailed by a pilot, refused to take one. A tempest arose that night, and before daylight the ship was a total wreck. Hundreds of lives were lost. Four hundred and eight bodies drifted ashore and were buried in a huge grave on the site of what is now Asbury Park. Following this disaster the State of New York reenacted its pilotage laws.

So any State, under the law as it now stands, may experiment as much as it pleases with its pilotage laws. It may abolish them entirely, but if it finds as a result of that experiment that its commerce has declined, that lives have been lost and property has been destroyed, it will reenact them, so as to protect life and property and commerce. If this bill becomes a law, however, the Southern States, or the most of them, will find

their pilotage laws repealed for them, and no matter how great the necessity hereafter, they will be unable to reestablish them or to maintain a pilotage system of any degree of efficiency, for the reason that they have not sufficient foreign shipping with which to maintain them. There is no reason, therefore, why the people in any of these States should ask Congress to tie the hands of their State and make its legislature helpless to protect them in the future, no matter what conditions may arise.

Mr. SHERLEY. In that connection I would like to ask the gentleman if he has the various pilotage laws of the Southern States, and if he will put them into the RECORD in connection with his speech?

Mr. BRANTLEY. I will put into the RECORD the pilotage laws of my State, and I want to discuss those. I have not the pilotage laws of the various States.

Mr. SHERLEY. The reason I am asking the gentleman is that I have had some difficulty, without original examination of the different State laws, to get at their exact provisions, and I thought if he had them it would be of service to the House to put them in the RECORD.

Mr. BRANTLEY. I am sorry I have not got them, but I will put in the laws of my State.

Every State desires to build up its commerce. Every seaport desires to increase the number of ships visiting it. In order to build up commerce and to bring more ships it is necessary to make the burdens on commerce as light as possible. Every State knows this and every seaport knows it. In a sense each State is a competitor of all other States and each port is, in a sense, a competitor of all other ports. Both the States and the ports have every inducement to make pilotage charges and all other port charges as just and as reasonable and as low as they can be made with prudence and safety. It is perfect folly to say that in the State of Georgia 20 pilots in Savannah, 15 pilots in Brunswick, and a few other pilots at Darien and St. Marys can control and dominate the legislature of Georgia and prevent a reduction of pilotage charges, if the charges ought to be reduced or prevent a revision of the pilotage laws of the State if they ought to be revised. The people of Georgia know far better than does this Congress what regulations are necessary and best to build up their commerce and to make their ports flourish and grow. They not only know better what is best for them, but they have a local pride and a local interest that enables them to far more justly and energetically care for their commerce than Congress would or could possibly do. We have the power now in Georgia, in so far as our commerce may be affected by pilotage laws, to regulate and change these laws as our own good judgment may deem best. We have the power to remedy all evils and correct all wrongs and remove all discriminations that may be found to exist, and it seems a pitiful confession of weakness and incapacity for our people to come to Congress in this matter and, pleading our incompetency, ask that our hands be tied and that Congress enact our local legislation for us.

THE GEORGIA LAWS.

I can not discuss the various provisions of the different State pilotage laws, because I am not familiar with them, but I have before me the Georgia law on the subject and I do not think it amiss to call attention to it or, at least, to some of the more important features of it.

Beginning with code section 1651, the Georgia law authorizes the corporate authorities of Savannah, Darien, Brunswick, and St. Marys to appoint commissioners of pilotage. These commissioners license the pilots. They prescribe the fees, make rules for the government of the pilots, and provide penalties, and can deprive a pilot of his license for want of skillfulness or for neglect or carelessness, or for intoxication. Their power is not unlimited, however, in prescribing pilotage fees, for section 1655 provides:

> They shall from time to time hereafter, whenever necessary, revise and grade the existing pilotage fees, both inward and outward, on vessels drawing 17 feet or less, when loaded, so that said fees shall not exceed the average of the fees charged at the ports of Norfolk, Wilmington, Charleston, Port Royal, Beaufort, Fernandina, Pensacola, Appalachicola, Mobile, and New Orleans. They shall exempt vessels from the payment of pilotage fees, either inward or outward, *unless services are tendered outside the bar.*

The legislature placed this limitiation as to fees for the purpose of safeguarding the commerce of the ports of the State and preventing such excessive fees as would drive commerce from the ports of Georgia to the ports of other States where pilotage fees were less. The legislature also in this limitation provided that these commissioners could not allow fees unless the services of a pilot were tendered outside the bar. This was to compel the pilot to remain on the bar if he wished to earn anything. This same section of the Georgia Code also contains a provision of our law in reference to exempting certain vessels from the payment of pilotage fees by authorizing a license. This license provision is much criticised in the report of the committee favoring the pending bill. The provision is, as to the pilotage commissioners, and says:

> They shall allow vessels running coastwise under United States license to pay, after paying the inward pilotage for that trip, an annual license fee of 25 cents per registered ton, which shall belong to the pilot entitled to the inward pilotage fee, and the payment of said license fee shall exempt at that port said vessel for twelve months thereafter from compulsory employment of a pilot, either inward or outward, or payment therefor unless services of a pilot are accepted; licenses shall be renewed to vessels after having arrived in port, and if they approach the port after the expiration of a former license, the license shall be granted only after they have paid the inward pilotage for that trip, if service has been tendered outside the bar; and any vessel while in a port for which she has had a license, may, within ninety days after the expiration of that license make application for and on payment of the license fee shall receive a new license for twelve months from the date of the expiration of the old license.

Mr. GOULDEN. Will the gentleman permit a question?

Mr. BRANTLEY. Yes, sir.

Mr. GOULDEN. Does the gentleman regard the charges under the compulsory pilotage laws in the State of Georgia as too high or of moderate degree?

Mr. BRANTLEY. Our laws were enacted a number of years ago. At the time they were enacted all interests consented to them, and they were considered fair and just, and the charges established thereunder reasonable. Of course, it may be now that changed conditions may authorize a change in these laws, though upon the whole I think they are now considered reasonable. In this forum, however, I am not so much concerned about their reasonableness or unreasonableness as I am concerned over the proposition that Congress should undertake to revise them.

It should be observed that this license provision is not compulsory. No vessel has to procure a license. It is a concession to the vessel owner. It was enacted for the purpose of reducing the expense of pilotage. The commercial interests of the State brought it about. While it has the effect of reducing the earnings of the pilots, it does not have the effect of abolishing the pilots. It was not enacted in their interest, but solely in the interest of those who need their services. It is passing strange that this provision of law, directed against the earnings of the pilots, should now be used as an argument in favor of wiping them out altogether.

Mr. HUMPHREY of Washington. Mr. Chairman, if it will not interrupt the gentleman, I would like to ask him about granting licenses. It was stated before our committee that, taking the port of Norfolk, last December the pilots received on an average $980; that during that time they did not render any service whatever to the vessels. It is also further stated that last year the pilots at that same port received between $60,000 and $75,000 from sailing vessels, and that a pilot was never aboard a sailing vessel in fact for eighteen years.

Mr. BRANTLEY. What port is that?

Mr. HUMPHREY of Washington. The port of Norfolk, Va.

Mr. BRANTLEY. The pilots received this amount of money from coastwise sailing vessels?

Mr. HUMPHREY of Washington. Yes, sir; and I have never seen that statement disputed. It was made by a member of the committee to our committee, and if that is true, I would like to know what the gentleman's defense is for that condition of affairs.

Mr. BRANTLEY. I would state, in reply, that I know absolutely nothing of the facts in reference to the matter. I do not know whether they are true or not, but of one thing I am sure, and that is that the State of Virginia and no other State is going to tolerate such undue taxation of its commerce as will drive commerce away from it. If the laws of any State have the effect of driving commerce from that State, that State suffers more than any other part of this country suffers. I submit that each State should continue to enjoy the privilege that it has had ever since this Government was founded, to frame such laws in this connection as in its judgment will best build up and maintain its commerce. If the laws of the State are violated, there is ample provision to punish the violation. If indiscriminations exist, there is ample law to prevent discrimination.

Mr. SHERLEY. Mr. Chairman, in that connection I might suggest to the gentleman that the Northern States did have pilotage laws and did exercise the privilege of determining for themselves when the proper time had arrived for their abolition.

Mr. BRANTLEY. That is very true. I am very glad to have that statement go in. We simply ask now to be allowed to do what these States have done, and to abolish our compulsory pilotage laws when we think we can do so with safety.

Mr. HUMPHREY of Washington. As I understand, the gentleman's attitude is this: That if these facts exist, he does not

deny that they should be remedied, but if the States refuse to do that, then the nation should not interfere.

Mr. SHERLEY. If the gentleman will permit, I would like to answer the question. The assumption that the gentleman makes is one based upon disputed facts. The gentleman contends that the people of Virginia know more about the facts and are very much better able to determine the wisdom of their laws than people outside of the State of Virginia and that the remedy is with the Virginia legislature.

Mr. HUMPHREY of Washington. The gentleman forgets that I put in my hypothetical question "if the facts were as cited," that the pilots received an average of $980 a month for which they rendered no service, and that they received from sixty to seventy-five thousand dollars last year from sailing vessels for which they rendered no service, and I ask him, If the State would not legislate to correct this evil should not the nation do so?

Mr. SHERLEY. Bad cases make bad laws. Now, the gentleman wants us to take a suppositious statement of facts as being the facts and pass a general law that would punish some other State equally with Virginia.

Mr. BRANTLEY. I thank the gentleman from Kentucky for his statement. I would say further that if a State has pilotage laws that are burdensome upon the commerce of other States, it is one thing to substitute a better system. It is quite another thing for the National Government to abolish the system existing and provide no other in its stead, and at the same time leave the State helpless to do so. That is exactly what the pending bill does. But the Georgia law further provides that all vessels not exempt under the laws of the States or of the United States shall pay full pilotage fees inward and outward to "the first pilot who may have offered his services outside the bar and exhibited his license as a pilot if demanded by the master."

Code section 1664 provides:

> Every pilot boat cruising or standing out to sea must offer the services of a pilot to the vessel closest the bar unless a vessel more distant be in distress, under a penalty of $50 for each and every negligence or refusal either to approach the nearest vessel or to aid her if required, or to aid any vessel in sight showing signals of distress; and the commissioners, or a majority of them, may, for such negligence or refusal, deprive the pilot of his license.

The pilot can not select the vessel of the deepest draft so as to earn the largest fee, but must pilot the nearest vessel, and, regardless of his fees or his earnings, he must ever respond to a signal of distress.

In case a vessel or its cargo of freight is damaged through the negligence or default of a pilot and the damage is less than $100 the board of pilot commissioners have full power to require the payment of the damage. If the damage exceeds $100 the pilot is made specifically liable in the courts of the State for the full amount of the entire damage.

The assertion is made in the report of the majority of the committee that—

> If the State pilot, by reason of incompetency or negligence, causes injury to the vessel or causes her to be lost, he is not liable for the damage caused, and neither owner nor underwriter has any recourse but to accept the loss.

And this is given as an argument in favor of the bill. This statement does not apply to Georgia, for, as I have just stated, our pilots are made specifically liable for any damages caused by their carelessness or default, and, in addition, no man can be a pilot in Georgia without giving a bond in the sum of $2,000 for the faithful performance of his duties.

The pending bill proposes to authorize local inspectors of hulls and boilers of vessels to license local pilots, and proposes to authorize the pilot so licensed to take a vessel into any of the ports of this country, wholly regardless of whether or not he knows anything of the entrance into the port he seeks.

Mr. LITTLEFIELD. Mr. Chairman, I should like to inquire what bill the gentleman refers to in that remark?

Mr. BRANTLEY. No. 5281, I think, is the number of it.

Mr. LITTLEFIELD. Will you be kind enough to state again what you say it does?

Mr. BRANTLEY. It authorizes local inspectors to license pilots.

Mr. LITTLEFIELD. The State inspectors, you mean.

Mr. BRANTLEY. I am talking about the steamboat inspectors. They will license pilots under the bill.

Mr. LITTLEFIELD. Do you mean the United States inspectors or State inspectors?

Mr. BRANTLEY. The United States inspectors.

In Georgia no man can be a pilot or receive a certificate to act as a pilot until he has served as an apprentice two full years in a decked pilot boat on the bar for which he desires to be a pilot and gives satisfactory evidence of character and skill; and no certified pilot shall be entitled to additional authority until he has served eighteen months. Many years ago the Supreme Court of the United States recognized a fact that the friends of this bill appear to have lost sight of, and that is that there are more kinds of pilots than one. In a case in 2 Wallace, page 459, the court said:

> The term "pilots" is equally applicable to two classes of persons: To those whose employment is to guide vessels in and out of ports and to those who are intrusted with the management of the helm and the direction of the vessel on her voyage. To the first class, for the proper performance of their duties, a thorough knowledge of the port in which they are employed is essential, with its channels, currents, and tides, and its bars, shoals, and rocks, and the various fluctuations and changes to which it is subject. To the second class knowledge of an entirely different character is necessary.

The friends of this measure refuse to recognize this difference in pilots and assume that if a man is found competent to navigate and steer a ship he necessarily has knowledge of the entrance into all harbors in the country, and the bill proposes that inspectors who, perhaps, know nothing of the entrance into a certain harbor or across a certain bar, may license another man likewise knowing nothing of this entrance or bar, and authorize him thereby to pilot a ship across this bar and into this harbor. The people of Georgia have always felt that in order to preserve the fair fame of their ports as safe and protected ports, so as to bring commerce to them, it was absolutely essential to have pilots thoroughly familiar with the entrance into these ports to guide and conduct vessels therein. This bill, if enacted into law, nullifies the wise provisions of the Georgia law, disregards the wisdom of the Georgia lawmakers and the custom and practice of a century, and says, in effect, that knowledge of a bar and knowledge of a harbor are totally unnecessary to qualify a pilot to take a ship across such bar or into such harbor.

Mr. LITTLEFIELD. Does the gentleman mean that this would eliminate your local system?

Mr. BRANTLEY. Undoubtedly.

Mr. LITTLEFIELD. It does not have that effect at all. It simply says that where you do not take the services of the local system, you do not pay. That is all there is in substance to the bill.

Mr. BRANTLEY. I am discussing that question.

Mr. LITTLEFIELD. I wanted to see if the gentleman correctly apprehended the effect of the legislation.

Mr. BRANTLEY. I think I fully understand the purpose of the bill, and I understand also that unless we can have compulsory pilotage we can not maintain our pilotage system.

Mr. LITTLEFIELD. Indirectly, then, your proposition would be that it would have the result you state.

Mr. BRANTLEY. Oh, indirectly.

Mr. LITTLEFIELD. I beg your pardon. I thought you meant directly.

THE EVIL CONSEQUENCES OF THE BILL.

Mr. BRANTLEY. In the State of Georgia from 65 to 70 per cent of the vessels handled by pilots are domestic vessels. It is quite evident, therefore, that if these domestic vessels be relieved from pilotage fees there will not be enough vessels remaining to maintain a pilotage system. The argument is made, however, that no such result followed the exemption of coastwise steamers from compulsory pilotage and that no harm has resulted to the coastwise steamers. This suggestion presents no argument at all, and for the reason that pilotage systems have been continued notwithstanding the exemption granted steamers, and have been continued by reason of the help received from coastwise sailing vessels. Pilots have been on all the bars ready at all times to assist coastwise steamers when those steamers needed assistance, and the steamers have not therefore suffered. If coastwise steamers and coastwise sailing vessels, however, are both to be exempt from compulsory pilotage, what inducement will there be for the pilots to remain on the bar? The pending bill recognizes that pilots are sometimes necessary, and while providing for the exemption of coastwise sailing vessels from compulsory pilotage also provides that the fees charged for the pilotage of any vessel shall not exceed the customary or legally established rates in the State, thus providing for the protection of the coastwise sailing vessels in the matter of fees whenever they actually need a pilot. The question arises, however, if this bill becomes a law will there be a pilot on the bar to give protection when protection is needed?

This bill is very one sided in its provisions. It does not undertake to repeal any provisions of any State law that is compulsory on pilots. If the States insist upon it the pilots will still be required to purchase and maintain at their own expense their pilot boats and to remain at their posts in fair weather and in foul. They will still be required to tender their services outside the bar. All the apprenticeship, all the labor, all the

peril, and all the hardships they are now required to undergo will still be required of them, but there will be no compensation, except at the will and the pleasure of the vessel owners. It is inconceivable that the States will require the kind of service pilots are now required to give and not provide compensation for them. It is likewise inconceivable that men can be found to invest their money in pilot boats and expose themselves to the perils of the sea in order to serve as pilots, if they are to receive no compensation therefor. A solemn and responsible duty rests on somebody to protect the commerce of the seas that enters and leaves the ports of this country, and likewise to protect the lives engaged in this commerce. One of the forms of protection that has ever been deemed necessary is in the furnishing of experienced pilots to guide vessels in and out of the ports. The furnishing of these pilots has devolved upon the States ever since our Government was founded, and they have discharged this duty without let or hindrance upon the part of the National Government. The pending bill proposes, in effect, to hinder and handicap the States in the performance of this solemn and responsible duty by imposing unreasonable and unjust regulations upon them. The States will thereby be less able to discharge the solemn duty resting upon them, and the United States will have assumed no part of that duty.

COMPULSORY PILOTAGE.

The majority of the committee concede in their report that pilots are sometimes necessary and should be furnished. They, however, think that if in order for a State to have an adequate system of pilotage, "the pilots must be subsidized for services they do not render;" that the ports or the people should pay the alleged subsidy. It is, therefore, solemnly insisted that where the foreign shipping into any State is not sufficient to maintain a pilotage system, the State or the ports should, by some system of taxation, tax themselves to maintain the system. The error of this argument is revealed in its statement. It must be remembered that pilots are stationed on the outer bars of the several ports for the protection of the vessels that come into those ports. They have no other duty or purpose than to protect these vessels. True, it may be that ofttimes a vessel may come when the sun shines and the wind is fair and will not need a pilot, but this same vessel at another time, when the storm king is abroad, will need, and urgently need, this same pilot. The pilot is there to render service whenever service is needed. If he is to be paid only when his services are actually used, he should not be required to be on hand except when his services are actually needed. No one can tell when a pilot will be needed, and it would be a very absurd law that would require pilots to be on the bar only at those times when their services were in demand. They are required to be there all the time and ought to be so required and this requirement being exacted of them, they should be paid whether they render service or whether they do not. Not only should they be paid, but they should be paid by those in whose interest and for whose protection they remain outside the bar. The principle that justifies this has been maintained in all the countries, practically, of the world and has been repeatedly upheld by the Supreme Court of the United States. In 2 Wallace, 456, the court said:

> The object of the regulations established by the statute was to create a body of hardy and skillful seamen, thoroughly acquainted with the harbor, to pilot vessels seeking to enter or depart from the port and thus give security for life and property exposed to dangers of a difficult navigation. This object would be in a great degree defeated if the selection of the pilots was left to the option of the master of a vessel, *or the exertion of a pilot to reach the vessel in order to tender his services were without any remuneration.* The experience of all commercial States has shown the necessity in order to create and maintain an efficient class of pilots, of providing compensation not only when the service is tendered or accepted by the master of the vessel, but also when they are declined.

In Cooley *v.* Port Wardens (12 How., p. 312), the Supreme Court said:

> Compulsory pilotage laws rest upon the propriety of securing lives and property exposed to the perils and dangers of navigation by taking on board a person peculiarly skilled to encounter or avoid them, upon the policy of discouraging the commanders of vessels from refusing to receive such persons on board at the proper times and places and upon the expediency and even intrinsic justice of not suffering those who have incurred labor and expense and danger to place themselves in a position to render important service, generally necessary, to go unrewarded, because the master of a particular vessel either rashly refuses their proffered assistance or, contrary to the general experience, does not need it.

In 13 Wallace, Ex parte McNeil, 238, the Supreme Court said:

> A pilot is as much a part of the commercial marine as the hull of the ship and the helm by which it is guided; and "half pilotage," as it is called, is a necessary and usual part of every system of such provisions. Pilots are a meritorious class and the service in which they are engaged is one of great importance to the public. It is frequently full of hardship, and sometimes of peril; night and day, in winter and in summer, in tempest and calm, they must be present at their proper places and ready to perform the duties of their vocations. They are thus shut out for the time being from more lucrative pursuits and confined to a single field of employment.

The suggestion that a pilot should be required to be on duty at all hours of the day and night on the outer bar, and yet should only be paid when he actually pilots a vessel, is just as absurd a proposition as to say that the members of your city fire department should only be paid for the actual fires they fight or that the members of your city police force should only be paid for the actual arrests they make. The suggestion that pilots should only be paid for actual service is contrary to the rules and customs prevailing and being practiced in almost every walk of life. This Government maintains a great Navy and a standing Army. Both Army and Navy are paid for their time in peace as well as in war; they are paid not for the battles they fight, but for being ready at all times to fight the battles of our country; and so it has ever been that men called upon to prepare themselves for the public service and to engage in the public service are paid for the time that they are on duty, whether their services are always required or not. Lighthouses are erected, buoys are placed, light-ships are stationed, and range lights are displayed—all to help the navigator find his way and as a protection to him against disaster. In the same way the pilot stationed on the outer bar is stationed there as a protection. He is there not to protect the masses of the people, nor the property of the country, but he is there to protect the property of the vessel owners and the lives of the men in their service, and it is but simple justice and common equity that the vessel owners should pay him. This great Government charges these vessel owners nothing for all the protection it affords them. It does not furnish the pilots, however, and vessel owners enjoying so many benefits and so much protection, all free of cost to them, should not hesitate to pay for the protection afforded them by the pilots.

OUR SAILING VESSELS FLEET.

The point is sought to be made that while there has been great increase in recent years in the tonnage of steam vessels, there has been no such increase in the tonnage of sailing vessels, and that the failure of sailing-vessel tonnage to increase is due to compulsory pilotage laws. It is stated that the total tonnage of steam vessels has practically doubled within ten years, while the tonnage of sailing vessels has remained about the same during this period. The Secretary of the Department of Commerce and Labor fully answers this contention when he says that the natural development of marine architecture favors the increase of steam vessels and the decrease of sailing vessels. The statistics show, however, that while there has been practically no increase in tonnage of schooners and square-rigged vessels, there has been quite a large increase in the tonnage in the past ten years of rigged barges, and as these barges pay pilotage fees it is thus demonstrated that the existence of compulsory pilotage has had nothing to do with steam tonnage outstripping sailing-vessel tonnage. When it is borne in mind that compulsory pilotage only exists in a few of the States, it is unreasonable to contend that this compulsory pilotage in these few States has contributed very materially to any decrease in the tonnage of sailing vessels.

The coastwise commerce of our country, as it has grown and extended from year to year, has demanded quicker and better transportation facilities, and with the natural and inevitable result that steam-going vessels, with their rapid and certain transit and their traffic connection with the railroads, have been built to meet such demands. If sailing vessels could meet the ever-growing demands of this commerce, they would be built just as rapidly and just as extensively as steam-going vessels are being built. The majority of the committee, in their report, refer to the sailing of coastwise vessels as a languishing industry, and all due to compulsory pilotage laws. If languishing now, was it at one time flourishing? That is the assumption; and if so, the industry has both flourished and languished under the very same laws, for throughout the fluctuations of the industry the laws have remained the same. It is rather late in the day to suggest that an industry that has grown and flourished under laws designed for its protection and that were framed before the Government of the United States was formed, is now, under these same laws more than a hundred years later, languishing by reason of these laws. But, is the industry languishing? Notwithstanding the great increase in steam tonnage, sail tonnage has practically held its own. Is it unprofitable? Ask the shipowner who, while before the committee urging the passage of this bill, admitted himself the owner of one hundred sailing vessels, and each one of them acquired and put in commission while compulsory pilotage was in existence. In contrast to the statement that the industry is languishing, we have the statement of those who seek to build up our foreign shipping by subsidies, that our

coast and lake shipping is the most prosperous and greatest in the world.

In a recent speech delivered on this floor by the gentleman from Kentucky [Mr. GILBERT], who has made an exhaustive study of our merchant marine, foreign and coastwise, he declared that—

Our merchant marine collects higher freight rates, the officers and crew live higher and better, and the shipowners clear more money than any merchant marine in the world.

In this connection, it is somewhat remarkable that any part of our coastwise shipping interests should complain of what they call a "pilot monopoly," or of any other monopoly, for not only is there no pilot monopoly, the Supreme Court having said to the contrary, but there is no class of people and no other interest so highly protected and so highly favored by our Government as the coastwise shipping interests of this country.

Gentlemen who favor this bill speak of the many millions of dollars spent by this Government in the improvement of harbors as a reason why pilotage should be done away with and the earnings of the coastwise sailing vessels still further enhanced. They forget that all of these millions have been spent for the direct interests of the coastwise vessels. Not only have these millions been expended in the improvement of harbors, but other millions have been expended in providing light-ships and light-houses and other aids for navigation, all in the interest of the vessel owners. These vessels are not taxed to pay any part of these vast expenditures; and not only do they pay no part of this burden assumed for their benefit, but they are otherwise tremendously favored, for foreign vessels are not allowed to engage in the coastwise trade, so that our coastwise vessels have a complete monopoly of the coastwise business, and having this monopoly no power of Government regulates their charges to the public. Not satisfied with the monopoly they now enjoy and the protection they now have, they have come to Congress and asked in this bill that the States be stripped of any power to safeguard the lives of the people they employ, or to safeguard the property of the shipper intrusted to their keeping, and all in order that their profits may still further be enhanced. The improvement of our harbors has resulted in deeper water and deeper-draft vessels, but in the shifting sand bars that usually prevail at the South and the larger class of vessels that have to be handled, requiring more and more skill and more and more knowledge of entrances into harbors, these improvements, in the opinion of the States, have not yet justified the abandonment of their pilotage systems. These States have no enmity toward the sailing vessels. They welcome their every visit and ask that it be repeated time and time again, but they do insist that so long as they police their harbors and their outer bars for the protection of these vessels, these vessels shall pay for the protection thus afforded them.

Mr. LITTLEFIELD. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Maine?

Mr. LITTLEFIELD. Only for a suggestion.

Mr. BRANTLEY. Yes.

Mr. LITTLEFIELD. Is not the gentleman advised of the fact, inasmuch as he is discussing this question of improving harbors, that the vast amount of the expenditure is rendered necessary by reason of the large draft of the vessels, and that the question of a large draft does not, to any degree of consequence, affect the coastwise fleet; that it is almost altogether for the purpose of accommodating the foreign-going fleets? That is the practical fact. I do not know whether the gentleman is advised of it or not.

Mr. BRANTLEY. I will ask the gentleman from Maine if he is not aware of the fact that these same coastwise sailing vessels are every year being built of deeper draft and of larger size?

Mr. LITTLEFIELD. Well, to an extent, but not to any great extent.

Mr. BRANTLEY. Every year.

Mr. LITTLEFIELD. Their draft is nothing compared with the draft of the foreign-going fleet. There is not any question about that, I think the gentleman will be satisfied.

Mr. BRANTLEY. Oh, these improvements affect vessels engaged in the foreign trade the same as they affect vessels in the coastwise trade, but the fact remains that the coastwise vessels have the full benefit of every dollar of improvement, and the further fact remains that in our southern ports they have by far the greater benefit, for there are more of them. It is because we haven't got the foreign vessels that we protest against this bill.

Mr. LITTLEFIELD. It is very true that when you dredge for a vessel having a draft of 25 feet it takes care of a vessel drawing 14 feet.

Mr. BRANTLEY. Oh, we have four and five and six masted schooners coming into my port.

Mr. LITTLEFIELD. I think if the gentleman will look it over he will find that the steam coastwise fleet draw from 6 to 10 feet more than the sail.

Mr. BRANTLEY. Our coastwise steamers draw less water than do some of the large schooners.

Mr. LITTLEFIELD. That may be your experience, but it is not the experience on the balance of the Atlantic coast.

Mr. BRANTLEY. It applies to the Clyde Line and the Mallory Line steamers that come into my port regularly.

Mr. LITTLEFIELD. They go over to Key West.

Mr. BRANTLEY. They do not go over to Key West; they come into my port.

Mr. LITTLEFIELD. What port is that?

Mr. BRANTLEY. Brunswick. They draw less water than some of the large schooners.

Mr. LITTLEFIELD. Bearing also on your suggestion in relation to the earnings of the vessels, does the gentleman question the accuracy of the statement that appears in the majority report, that the sums paid for pilotage over and over again aggregated more than the amount paid to the owners in dividends? Does the gentleman question the accuracy of that statement?

Mr. BRANTLEY. I do not know anything about that.

Mr. LITTLEFIELD. That is the fact.

Mr. BRANTLEY. The gentleman from Maine can state that in his own time.

Mr. LITTLEFIELD. I know the gentleman would not intentionally misstate any of these things.

Mr. BRANTLEY. I was not discussing the question whether the earnings of the sailing vessels were greater or less than the total sum of pilotage fees, and could not have made any misstatement about it.

Mr. LITTLEFIELD. No; not that particular question, but the gentleman referred to the large earnings of the vessels. I only wanted to call the gentleman's attention to the fact about which there is no question.

Mr. BRANTLEY. It is argued that the tugboats take the place of the pilots and that when a tugboat is employed to pilot a vessel into or out of a port it is wrong to require such vessel to pay a pilot in addition to paying the tugboat. It must be borne in mind, however, that there is no law compelling the use of a tugboat, and neither is there any law requiring the tugboat to remain on the outer bar to render help when help is needed. Not only is there no law requiring the tugboat to remain on the outer bar and no demand for such a law, but the tugboat is not there except when the weather is fair. The time comes, and comes frequently, when the tugboat finds it far more convenient to ride inside the bar, in the harbor. These are the times when the little pilot boat remains outside and is required to remain there, and these are the times when its presence brings gladness and hope to the distressed sailing vessel seeking an entrance into a harbor of refuge which, blinded by storm, it can not find. It may be that sometimes the tugboat is competent to take the place of the pilot, but it does not follow therefrom that it is always competent to do so, nor does it follow therefrom that a pilotage system is unnecessary.

When all the argument has been had in the discussion of this question we must inevitably reach the point where the solution of the question will hinge on the proposition that a pilotage system is either necessary or unnecessary. If the advocates of the pending bill are prepared to insist that a pilotage system is unnecessary and that the day of the pilot has passed, then let them place their support of this bill on that ground, and let the Congress and the country determine whether or not the ground is well taken. If they are not prepared to insist that pilotage systems in the Southern States are unnecessary, then there remains no ground upon which the pending bill can be reasonably and justly defended.

It may be and perhaps is true that the pilotage laws in my State and in some other States should be revised. It may be that the time has come or will shortly come when we should consider the question of reducing the rate of pilotage fees where a tugboat is used, or where the services of a pilot are refused; when we should consider the question of reducing the rate of pilotage fees when a vessel desiring to enter one of our ports not for cargo, but merely to escape the perils of the sea; when we should consider the question of reducing fees where a vessel crosses the bar but to enter quarantine, and then has to again enter for the purpose of receiving cargoes; when we should consider the question of other changes and revisions of our laws; these and all kindred questions I am quite sure that the people of my State and of all the States interested in the maintenance of a pilotage system are thoroughly familiar with and will take just and proper action thereon at the right and proper time.

I am not here to insist that the system of my State or the system of any State is perfect, but I am here to insist that my State be accorded the same privilege that all the States of the East have enjoyed of changing its system whenever it thinks a change ought to be made. I am here to insist that the shipowner in the East has no right to dictate to the State of Georgia the kind of pilotage system the State of Georgia shall enforce. I am here to insist also that our pilots be taken care of. The system that we have builded in my State has been builded upon a policy, as declared by our State supreme court, "to engender among the pilots a laudable rivalry to venture beyond the bar, or its immediate proximity, and thus be ever ready to lend aid to vessels making for the port." Our supreme court has also said that "commercial necessity calls for hardy, energetic, and fearless pilots." There are no more hardy, energetic, and fearless men in any calling than these same pilots. We not only require that a man shall be brave and fearless in order to be a pilot, but we also require that he shall be a man of good character, and have sufficient standing to enable him to give the bond necessary for a pilot to give. We require him as a precedent necessary to becoming a pilot to engage in a long and arduous term of apprenticeship. We require not only that he shall have the courage to perform the duties that shall be imposed upon him, but that he shall know how to perform these duties. We do not allow our pilots to absent themselves from duty. We compel them to be on guard at all times. We charge them with the duty of constantly sounding our channels, so as to detect the slightest change therein. We require them to promptly report any discharge of ballast in our channel by any vessel, and the failure to make such report necessitates dismissal of such pilot from the service. We look to them to aid us in our quarantine regulations. We require them to ascertain from every vessel, before boarding it, the state of health on the vessel, and from them the quarantine officer first learns of any contagion that is approaching. We have found our pilots indispensable to the protection of the vessels visiting us, and indispensable to the maintenance of our commerce and the reputation of our ports. We have found them faithful, reliable, and in all cases fully to be depended upon. We exact onerous and responsible duties from them, and I am not willing to consent here or elsewhere to the passage of any law that will deprive them of fair and just remuneration for the service that they so bravely and efficiently render.

As a part of my remarks I submit a letter from Capt. Charles E. Arnold, for many long years a faithful and efficient pilot on the bar at Brunswick, Ga., and whose views are entitled to all the credit that a life of honest toil, of upright character, and of devotion to all duties, public and private, can give:

BRUNSWICK, GA., *February 21, 1906.*

MY DEAR SIR: I am a pilot on St. Simons bar. I commenced in March, 1879, to serve my apprenticeship, and on April 1, 1884, received my first certificate. On April 1, 1886, I received my branch as pilot. Have never wasted my earnings through drink, sporting, or riotous living. I have a family, and it takes all I make to support them and educate my children.

We have eleven active pilots on this bar, and none of them have any money of any consequence. There are two old pilots not in active duty. I mention this fact because there has been so much said about pilots making so much money. There has been for the last thirty-odd years, nearly every year, a bill before our National Congress to take away the State right and abolish this system of compulsory pilotage, and it has fallen to my lot for several years past to take some part in asking that Congress allow this law to stand as it is. In doing this I have talked with many masters or captains of vessels, some of whom are part owners and a few sole owners and many who own only small interests, and 75 or 80 per cent of them are opposed to the abolishing of the present system of pilotage in the Southern States. Many others say that they do not want the pilotage taken off, but can not express themselves on account of having to go on vessels owned by such men as Mr. Pendleton and others, who are the prime movers in this fight against the pilotage laws in these States.

There is a license clause in our law, made by those interested in vessels in the year 1886, in the Georgia legislature, and there are several licensed vessels that come to this port regularly and wait, even with fair winds, for tugboats, and will not employ a pilot—I presume because their owners prohibit their taking a pilot. In several instances they have had to lay outside and ride out heavy northeast blows, when, if they had taken a pilot, they would have been in out of the weather and not jeopardized the life and property of the crew and vessel. This happens very often here.

Another argument often mentioned against pilots is that the Government has spent so much money in deepening the channels and making them so plain by buoys, beacons, and lights. A few years ago our bar was only about 250 feet long, and we then had 11½ feet at low water on the bar. To-day we have in our channel 19 feet at low water, and the channel is supposed to be 200 feet wide at the bottom and 400 feet wide from side to side, and our bar is now 4⅝ miles long, with these same 11½-foot shoals at low water on either side of this 19-foot channel, and pilots are therefore a greater necessity to-day than when we had the shoal bar, from the fact that vessels to-day are larger and draw more water.

Another argument is that pilotage is too high. That has been reduced, from the fact that the class of vessels to-day carry in proportion to their draft more than twice the tonnage that the old style vessels did, and all pilotage is charged according to the draft of the vessel.

As the Senate has just passed the ship subsidy bill, this with the fact that no foreign vessel can engage in the coastwise trade, it would seem that the vessel owners want everything.

Another cause for having the present pilotage system is that our shoals extend from 4 to 6 miles outside of land, and the coast is very low and we have lots of thick, smoky weather, and our pilot boats are outside nearly all the time and are a guide to vessels bound up and down the coast, as well as those to the port to which the pilot boat belongs, and I as a pilot have many times put vessels on their course when bound to other ports, both north and south of us.

Yours, very truly,

CHAS. E. ARNOLD,
Pilot, St. Simons Bar.

Hon. WM. G. BRANTLEY,
Washington, D. C.

Mr. HAUGEN. Mr. Chairman, in view of the strenuous efforts put forth here and elsewhere in favor of parcels post, and in view of the misrepresentation and misconception and the vigorous efforts put forth by mail-order houses in districts to secure instructions in favor of parcels post in Congressional conventions to be held, I wish to offer some observations along this line and submit a few facts with a view to disabusing the minds of those who I believe are laboring under a misconception.

Before entering into a discussion as to the merits of the proposition I wish to read from letters received. It deals first with statistics as to the number of people living in the rural districts and in the towns in his county and then closed by saying:

You say you are opposed to the Government going into the freight business. You probably do not call the carrying of parcels weighing 4 pounds freight business, but carrying parcels weighing 5 pounds would be freight business. Please give this matter careful consideration, and remember that the ratio between rural population and those engaged in retail trade is probably about the same in the Fourth district as a whole as it is in ——— County. When the conventions are held in the spring to name delegates to the Congressional convention resolutions will be introduced favoring parcels post.

In another letter he states:

What is there to hinder limiting the weight of parcels carried to 50, 25, or even 10 pounds? Congress seems to have the power to limit the weight at present to 4 pounds. If parcels-post business should take on such dimensions as you anticipate, that is only an argument in favor of its establishment. Parcels post instead of being a drain on the Treasury is the means of making the rural free delivery self-sustaining. It is the logical complement and corollary of rural free delivery.

In another letter he refers to an editorial on page 233 of the Independent as worthy of consideration.

To begin with, the question is not who is entitled to the most consideration—the mail-order houses or the merchants in the small towns. If that were the question I am free to say that I believe that the merchant who pays taxes, who helps to build up the State, county, and town, who helps build and maintain sidewalks, streets, schools, churches, water and light plants, and all good things essential to the welfare, comfort, happiness, and convenience of the people of his community, is entitled to more consideration by that community than he who contributes nothing to that locality (that is Republican doctrine; that is why this wall of protection is built up, giving protection to the American wage-earner, the producer, and home interests), and there can be no question as to the justice of their claims. But this is not the question. Nor is it a question where or from whom goods may or shall be bought by people living in rural districts, or whether the purchaser secures a better bargain one place or the other. This is a question that Congress has nothing to do with. The Constitution provides:

All duties, imposts, and excises shall be uniform throughout the United States.

No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State be obliged to enter, clear, or pay duties in another.

It is intended that commerce shall be as free as air between the States, so far as the Constitution or Congress is concerned.

The real question is: Shall the Government go into the freight or express business? Shall the rural free-delivery service and the city delivery be discontinued? Can it be done in justice to all and without injury to anyone? The Post-Office Department is a great business institution, doing business every year aggregating nearly $170,000,000. Viewing it from a business standpoint, is the parcels post a safe businesslike proposition?

What are the contentions? Freight is slow; express charges are high and quicker, and cheaper transportation is desired. I read to you from an editorial on page 233 of the Independent of January 25, 1906, referred to in the letter just read:

The just demands of the American people require a parcels post, not only greatly below express charges, but much below the relative cost of smaller packages now passing through the post-offices. A reduction of rates of at least one-third could be safely and wisely effected. The American rate for parcels—that is, fourth-class matter—is 1 cent for 4 ounces, but the English rate is 6 cents for the first pound and 2 cents for every after pound. In America the weight limit is 4 pounds, but in England it is 11 pounds. The English parcel of 4 pounds requires 12 cents postage, but the American postage requires one-fourth more.

The rate on parcels here is claimed to be 4 cents per pound. The Independent says that a reduction of rate of at least one-

third could safely and wisely be effected, or that the rate can be reduced to 2⅞ cents per pound. But I understand that the present rate for merchandise, or fourth-class matter, is 1 cent per ounce, or 16 cents per pound. And if a 2⅞-cent rate is determined on the reduction would be 13¾ cents per pound, or 80 per cent of the present rate on fourth-class matter.

Others say reduce the rate to 2 cents; some say 1 cent, and others say less. Some say the weight limit should be 11 pounds, some 25, some 50, some 100, some 200. Others say why fix a limit at all? Why not include carload lots? If the Government can give this service at exceedingly low rates, why should the manufacturer of heavy articles be denied the same privileges as others? Now, all of this seems nice; and of course if this could be accomplished it might be the right thing to do. It is natural that all would want cheap rates, as it would benefit everybody, and, generally speaking, everybody is pleased to get something for nothing—if not entirely gratis, at as low a price as possible if nobody is injured thereby; but it is also true that generally one would not give his consent to rob others in order to further his own interests. So in this case, if parcels post would create a large deficit, the deficit would have to be made up by all the people, or the gain made by few on account of low rates would have to be paid out of the General Treasury, or, in other words, Mr. Jones would be compelled to contribute toward paying Mr. Smith's freight. If this is so, then can parcels post be made self-sustaining? Can this cheap rate be had with justice to all and without injury to anybody and without loss to the Government?

The general opinion seems to be that the postal rates should be made as low as express charges, and also that parcels post should be made self-sustaining. I have received hundreds of letters on this subject, and I will read to you from one more of them, which is a fair sample, and I believe it expresses the views of most of the people who desire parcels post.

Referring to parcels post, he says:

> I am opposed to making it a burden to the Government, and I am still more opposed to rural free delivery being discontinued. I would rather see postage advance than to lose the rural free-delivery service. Let Congress put the price of postage on parcels so that it will cover the cost of transportation. The farmers here in Iowa do not object to paying what a thing is worth, but we do object to being robbed by the express companies the way we are now. A parcel post with the rural routes would be one of the greatest blessings the Government has done for the farmers, and I see no reason why it can not be made self-sustaining.

This is certainly a dignified and honorable position to take; and so far as I know, that position is taken by all, and the letters, I believe, voice the sentiment of a very large majority of those who desire parcels post. The question, then, is, can this be accomplished? First, we will compare express rates with the cost of carrying parcels or mail by the Government.

I was told by a reliable merchant in my district a few days ago that by prepaying express charges the express companies will meet postal rates to any point where the company has an office, the minimum charge being 15 cents, or if over two roads the minimum charge is 20 cents, or 10 cents to each road for 4 pounds of limited value. The shipment by express insures a safer and prompter delivery. The Government does not insure delivery or reimburse for losses, except when registered, and then only to the extent of $10 or $25 on any one package. He told me that he frequently has goods shipped from New York to California by express at postal rates.

A Post-Office Department report, made in 1900, quotes from Cowles's General Freight and Passenger Post the following:

> Our express companies carry all sorts of parcels, from the domicile in New York to the station, thence by rail a thousand miles to Chicago, and deliver at the domicile in that city, at the rate of $3 a hundred pounds, but the railways tax the Government $2.77 a hundred, $55.50 a ton, for the transportation of its mail bags for an average haul of not over 442 miles.

The Interstate Commerce Commission's report for 1904 shows that the earnings of the railroads for 1903 were as follows:

From mail and mail cars	$41,709,396
From express	38,331,964
Excess of mail pay over express earnings	3,377,432

In 1902 the excess of mail pay over express earnings was $5,582,385.

According to this, the express companies charge $3 per hundred from New York to Chicago, a distance of 1,000 miles. The rate from here to Chicago, a distance of 800 miles, is $2.25 per hundred, and the railroads, in 1900, taxed the Government $2.77 per hundred, or $55.50 per ton, for the transportation of mail for an average haul of not over 442 miles. Besides the $2.77, the Government now pays an average of $5,427.62 for each of more than 1,000 cars, and, besides this, pays a subsidy to the various railroad companies aggregating last year $167,175. Then there is the pay of 12,474 officers and employees in the Railway Mail Service. In fact, the total expense is nearly $170,000,000, which makes the average cost of handling the mail about 17 cents per pound. The Postmaster-General estimates the cost of handling all mail matter at from 5 to 8 cents per pound, but it would probably be much in excess of the amount stated by the Postmaster-General, because the parcels post would get all of the long-distance parcels, which would be carried at a loss, while the express companies would get the short-distance parcels, because zone rates would be less than postage rates.

The Postmaster-General states that—

> It would be necessary to adopt rates of postage to meet the rates of express companies and that it is not deemed wise at this time, at least, to ask authorization of Congress for the establishment of separate parcels post in the domestic service.

How are the transportation companies paid? To begin with, the present rates per pound weight were first fixed by the act of March 3, 1873. These were reduced 10 per cent by the act of July 12, 1876, and 5 per cent more by the act of June 17, 1878. First, the pay is based solely on the average weight of the mail carried daily the whole length of the route, but when a full railway post-office car is added to the train the Post-Office Department pays to the railroad a rental for the entire car based upon its length. This rent, then, is added. Mr. Shallenberger stated before the Committee on Post-Offices and Post-Roads:

> The total number of railway post-office cars in service last year was 1,015, and the number in reserve was 215. The Government paid $5,500,044.65 for the cars in service, an average of $5,427.62 a car. The cars cost about $5,500 or $6,000 each, and are maintained and repaired at an annual cost of about $1,200. They are built and owned by the railroad companies and rented to the Post-Office Department. The pay for a line of these cars is $25 a mile for 40-foot cars, $30 for 45-foot cars, $40 for 50-foot cars, and $50 for 55 or 60-foot cars.

What is the cost of the service?

The total number of railroad-mail routes is 3,064, and the total length of these routes is 200,965 miles. The annual travel on these routes is 362,645,731 miles. The annual rate of expenditure for mail transportation by rail—not counting the rental of postal cars—was $41,504,345.

The total number of postal-car routes is 294, the total length of these routes, 53,000 miles, and the appropriation for the current fiscal year was $5,875,000.

The combined expenditure for railroad-mail transportation and railroad postal cars was $44,695,610 in 1904. The combined expenditure in 1905 was $45,576,515.

It is estimated that the railway-postal clerks during the fiscal year 1905 handled 18,000,000,000 pieces of mail matter, exclusive of registered matter, of which 9,050,000,000 pieces were first-class matter and the balance pieces of other classes.

The deficit of the Post-Office Department for 1905 was $14,572,584.13.

Turn to Senate Document No. 174, Fifty-eighth Congress, third session, and you will find the amount paid each year to the railway companies for the purpose of carrying the United States mail since 1873, as follows:

1873	$7,257,196.00
1874	9,113,190.00
1875	9,216,518.00
1876	9,543,134.00
1877	9,053,936.00
1878	9,566,595.00
1879	9,567,590.00
1880	10,498,986.00
1881	11,613,368.00
1882	13,206,510.70
1883	13,906,956.79
1884	15,629,444.52
1885	17,347,754.39
1886	17,360,172.88
1887	17,849,853.06
1888	19,199,791.85
1889	22,128,850.65
1890	22,286,261.43
1891	25,837,147.30
1892	27,277,617.70
1893	28,516,378.17
1894	30,565,036.56
1895	31,190,230.65
1896	32,442,290.80
1897	33,854,075.32
1898	34,768,904.90
1899	36,001,826.99
1900	37,668,873.35
1901	38,507,809.79
1902	39,830,675.92
1903	41,697,229.02
1904	44,503,987.42

Add to the $45,576,515 paid the railway companies in 1905 the subsidy paid the various railroads, amounting to $167,175, and other expenses connected with the Department, and you have a grand total of $167,399,169.23. The Postmaster-General states—

> That the cost to the Government for handling all mail matter is estimated to be from between 5 to 8 cents per pound.

But this, as I understand, simply includes the cost of transporting the mails, and does not include all expenses connected

with handling of the mails. It is an easy matter to determine what the average cost is—that is, if you have the number of pounds handled and the amount expended. Let us look into the matter and see. The report does not give the total number of pounds handled, but on page 79 the Postmaster-General states:

According to the estimates heretofore made and published, matter of the second class approximates in weight two-thirds of the bulk of all mail matter, yet produces only about 4 per cent of the postal revenue.

The weight of second-class matter is reported to be 663,000,000 pounds. If 663,000,000 pounds is two-thirds of the bulk of all mail matter, the total weight would be 994,500,000 pounds, or practically 1,000,000,000 pounds.

I understand that this does not include equipment, such as sacks, pouches, twine, etc., which is paid for per pound to railroad companies for carrying same as mail matter. When the weight of the equipment is added the total weight would be about double this amount, as the weight of the equipment is about equal to the weight of the mail. But the weight of equipment has nothing to do with it, as the Government gets pay only for the actual mail matter handled.

If you will turn to the report of the Second Assistant Postmaster-General to the Postmaster-General, showing the results of the special weighing of mail through the United States from October 3 to November 6, 1899, you will find the following statement:

Per cent by classes of mail matter originating in the United States, including mail for local delivery and all mail dispatched from all post-offices of the United States by steam railroads, electric cars, steamboats, and on star routes, or otherwise.

Class.	Weight for 35 days.	Estimated weight for 365 days.	Per cent of total weight.
	Pounds.	*Pounds.*	
First class	9,098,882	94,888,341	6.06
Second class	37,820,857	394,417,505	25.19
Second class free	3,140,464	32,750,550	2.09
Third and fourth class	13,987,967	145,874,518	9.32
Government free	9,218,203	96,132,692	6.14
Equipment	76,866,032	801,602,902	51.20
Total	150,132,405	1,565,666,508	100.00
Weight of mail matter from which a revenue is derived	60,907,706	635,180,362	40.57
Weight of mail matter from which no revenue is derived	89,224,699	930,486,146	59.43
Total	150,132,405	1,565,666,508	100.00

Here the total weight is estimated at 1,565,666,508. This includes 801,602,902 pounds equipment, and leaves only 764,063,606 as mail matter. But of course the business has increased, and I believe it is safe to estimate the weight of actual mail matter at 1,000,000,000 pounds, and the total weight, including equipment, at 2,000,000,000 pounds. The estimated cost of handling the mails should not be made on the total weight including equipment, because the Government is paid only for the actual weight of the mail matter. The equipment and cost of carrying equipment is a part of the expense in handling mail matter, as much as is that paid railroad companies or salaries to clerks, and parcels post would require equipment as well as first, second, and third class matter, as these parcels would have to be packed in pouches and handled the same as other mail matter. For instance, if parcels weighing 100 pounds are received they must be sent out in pouches or sacks, and if sent out in pouches weighing 100 pounds, the Government would pay the railroads for 200 pounds and receive pay for only 100. So, if the Government pays a railroad on an average of, say, 5 cents per pound for the total weight, including equipment, it would cost the Government twice that amount, or 10 cents per pound, for actual mail matter, as it pays for 2 pounds for every pound of actual mail carried by the railroads.

So in estimating the cost of handling mail matter and the cost of parcels post, first it is necessary to ascertain the number of pounds of mail matter handled, or the number of pounds on which the Government receives pay; second, the amount paid out. If 1,000,000,000 pounds of mail is handled what is the cost per pound? First, the Government pays the railroad companies $41,000,000 for carrying the mails, or 4.1 cents per pound. It pays $5,427.62 for each of 1,015 cars, and I understand they also pay for 215 cars in reserve, or a total of $5,500,000, which adds another one-half cent. You now have 4.6 cents per pound. The Government employs 12,474 officers and clerks in the Railway Mail Service or for looking after the mail while in transit, at an annual salary of more than $13,000,000, or 1.3 cents per pound. We now have a cost of 5.9, or practically 6 cents per pound. But there are some 200,000,000 pounds of mail not carried by railroads. I find on page 2, Senate Document No. 174, that the Postmaster-General makes this statement:

In order to secure a basis for an accurate estimate of the total weight of mail carried on the various mail routes of the country, the Department ordered an actual weighing of the mails originating in each post-office of the country from October 3 to November 6, 1899. The reports of this weighing were forwarded to the Department and tabulated, and on the basis of this weighing an estimate of the total weight of mail carried and the weight carried on railroad lines for one year was made. The total weight of mail and equipment thus found was 1,565,676,508 pounds. The weight for railroad lines, including equipment, was 1,347,145,180 pounds.

The rate for railroad lines, including equipment, then, was only 1,347,145,180 pounds. Deduct 801,602,902 pounds for equipment and it leaves only 545,542,278 pounds mail carried by the railroads. The Government paid the railroad companies, according to a statement made by the Postmaster-General in 1899, $36,001,926.94, an amount equal to 6.8 cents per pound for that year. If you deduct 200,000,000 from 1,000,000,000 pounds, you have only 800,000,000; and the cost would now be about 7½ cents per pound; but I want to get at the average cost of handling all mail matter in order to ascertain what parcels-post will cost. In addition to the 5.9 cents per pound, the mail must be collected and delivered. You have an expense of $26,000,000 for the rural free delivery service, and $21,000,000 for the city free delivery, or $47,000,000 for the two; or a cost of 4.7 cents per pound. Add this to 5.9 and you have a total of 10.6 cents per pound. In addition to this we have the transportation of mail on star routes, on steamboats, electric and cable-car service, the mail-messenger service, and the transportation of foreign mail, which aggregates more than twelve million. Another expense of 1.2 added to the 10.6, making a total of 11.8. In addition to this you have the rent, light, fuel, and equipment for many of the 68,000 post-offices. The Department employs in all 280,000 people, and the total expense last year was $167,399,169.23, which would make the average cost about 17 cents per pound.

But you may say that this is not a fair comparison, that the parcels handled by the Post-Office Department are less in weight and much greater in number than parcels-post packages would be, or those handled by the express companies, and do require more help to sort and handle. I admit that, and some allowance should be made. But certainly the cost of carrying parcels post by railroad companies would be nearly the same, as the companies are paid so much per pound, and nobody has suggested a reduction. In fact, the Congressional committee recommended that no reduction should be made. And the only reduction would be the reduction in rate per pound, caused by an increased weight carried by railroad companies. More cars would be needed. More railway mail clerks will be required to handle the additional mail matter. Eight hundred and fifty-three were added this last year. More city and rural carriers would be needed, and a much higher salary would be demanded on account of the increased weight to be carried. More clerks would be required and more room needed in all of the 68,000 post-offices, and the cost would increase all along the line; and the average cost for handling these additional parcels would probably not be much below the present average cost of 17 cents per pound.

But, for the sake of argument, let us assume that the cost would only be 10 cents a pound. If the postal charges are fixed at 4 cents a pound, what would be the result? Every $4,000,000 worth of business would incur a loss of $6,000,000, as the service would cost 10 cents a pound, or $10,000,000. If the rate is to be reduced to 2 cents, every $2,000,000 worth of business would incur a loss of $8,000,000. But H. R. 470, the Hearst bill, provides that postal charges on merchandise, etc., shall be: "On parcels over 12 ounces, and not exceeding 1 pound, 5 cents. On parcels over 1 pound, 2 cents for each additional pound or fraction thereof."

The postage then on 10 pounds would be 23 cents, or 2.3 cents per pound. At this rate, for every $2,300,000 worth of business, the cost to the Government would be ten million, or a loss of $7,700,000. But the contention is that the rate should be much lower, and if a compromise is made at 1 cent per pound, every $100,000,000 worth of business would mean a loss to the Government of nine hundred million, an amount about a hundred million dollars in excess of the annual appropriations of Congress, or about equal to our interest-bearing debt, or about equal to one-third of the total money circulation in the United States.

What are the causes of our present deficit? The principal cause given is second-class matter. Turn to page 80. The Postmaster-General states:

During the last fiscal year the total weight carried at 1 cent a pound and free was 663,107,128 pounds. If it costs the Government as much

as 5 cents a pound to handle this matter in the mail, it will be seen that the amount paid out was $33,155,356.40. The actual revenue was $6,186,647.54.

Here you have a loss of $27,000,000 on a $6,000,000 business, and the cost to the Government is figured at only 5 cents, which is, of course, much below the actual cost, and if the cost is 10 cents per pound the loss would be $60,000,000.

The Postmaster-General states in his report that the second-class matter—663,000,000 pounds—approximates in weight two-thirds of the bulk of all mail matter, yet produces only $6,186,647.54, or 4 per cent of the present revenue. Now, if, for instance, the rate on all mail matter should be fixed at the same price as second class, which is 1 cent per pound, the revenue would be only 6 per cent of the present revenue, or $9,279,971.31. Deduct the $9,279,971.31 from $167,399,169.23 total expenditures, and you have a deficit of about $158,000,000. If the rate should be fixed at 2 cents, the revenue would be about eighteen and one-half millions, and the deficit about $149,000,000. If the rate should be fixed at 3 cents, the revenue would be about twenty-seven and three-quarter millions, and the deficit $139,500,000. If fixed at 4 cents, the revenue would be about $37,000,000, and the deficit about $130,000,000. If at 5 cents, the revenue would be about forty-six millions, and the deficit about $121,000,000. If the rate is fixed at 6 cents, which is twice as high as anybody has suggested that the rate should be on parcels post, the revenue would be about fifty-five and one-half millions, and the deficit $111,000,000.

Can the cost be reduced? The answer is no.

See page 65, where the Postmaster-General calls attention to the Congressional commission investigation—a commission composed of distinguished men, four members of the Senate and four members of the House. After exhaustive investigation, the Commission submitted its report in 1901. The general conclusion was:

> We are of the opinion that the prices now paid the railroad companies for the transportation of the mails are not excessive, and recommend that no reduction be made thereof at this time.

This report was substantially concurred in by all except Representative Fleming and Senator Chandler. Fleming filed a separate report recommending a reduction of 5 per cent. Senator Chandler did not sign either of the reports.

What do we find? The present prices paid railroad companies are declared to be reasonable, though I am inclined to differ with the Commission and other Members on that subject. Nobody has suggested to reduce the rates paid the railroads or the cost of the service.

If the low rates are given, if the weight limit is extended, and these special privileges granted, it is safe to say that the business of the Post-Office Department will increase extensively. The freight business of this country is over fourteen hundred million. The express business is also large. The appropriation for the Post-Office Department has increased from $35,756,091 in 1875 to $181,022,093.75 for 1905–6, an increase of more than 500 per cent, or $145,266,002.75, in thirty years. It has increased from $49,040,400 in 1885, an increase of more than 350 per cent, or $131,981,693.75, in twenty years; and from $87,236,599.55 in 1895, or over 100 per cent, or $93,785,494.26, in ten years.

Here we have an increase of nearly $100,000,000 in ten years under ordinary conditions without extending any special privileges or inducements in rates or weight limit. What would it be with a large reduction of rates and an extension of the weight limit?

Suppose that the parcels post increases the postal business $100,000,000 on the basis of a 2-cent rate; and the cost of the parcels post is 6 cents per pound, the cost of the Government would be three times the rate charged, or $300,000,000, and the loss would be $200,000,000. If the business increases $100,000,000 on a basis of 3 cents, the cost would be double, or $200,000,000, or a loss of $100,000,000. If $100,000,000, on a basis of 4 cents, the cost would be $150,000,000, or a loss of $50,000,000. But some say the rates should be only 1 cent per pound. In that event the cost would be six times the receipts; the loss would be $500,000,000; and if the cost should prove to be 10 cents per pound, the loss would be $900,000,000. This may be putting it strong, so we will assume that the rate would be fixed at 5 cents, and the increase of business will be $100,000,000, and that the cost is only 10 cents, or $200,000,000, which would mean a loss of $100,000,000 to the Government. How are you going to make up the deficit?

The total expenditure last year for this Department was $167,399,169.23. The total receipts were $152,826,585.10; total excess of expenditure over receipts, $14,572,584.13. Add this $14,000,000 to the $100,000,000 and you would have a deficit of over $114,000,000.

How is this $114,000,000 to be provided for? Are you going to pay it out of the Treasury? No; all are agreed that that can not be done at this time. Besides, as before stated, some doubt the wisdom and propriety of "robbing Peter to pay Paul," or "to compel Mr. Jones to contribute toward paying Mr. Smith's freight." Are you going to increase the rates of postage? No; the proposition is to reduce them. Are you going to reduce the cost of handling mail? No; there seems to be no show to do that. What will you do? Some say discontinue the rural free-delivery service. Why discontinue this service and deprive the people of the rural districts of this valuable and much appreciated service? More than 50 per cent of the people of the United States live in the rural districts. Six million families are engaged in agriculture. This and the $7,000,000 expended by the Agricultural Department is about the only appropriation made directly in their interest. The inauguration and promotion of the rural free-delivery service was a recognition justly due a deserving people—a people where patriotism, loyalty, morality, and virtue prevails. It was with a view to adding to the blessings, advantages, advancement, happiness, comfort, and convenience of a people who have contributed so much to this nation's growth, greatness, dignity, prosperity, stability, and peace—a people always found in the foremost ranks in our days of unpleasantness, marching on to victory in times of peace and war. Nobody has done more to maintain or perpetuate this great and splendid Government of ours; nobody has responded more promptly, freely, or heartily when our Government institutions were in danger than have the people to whom this service is extended. The rural free-delivery service, together with railroads, telegraph, telephones, and the improvements of roads, has brought the people on the farms nearer and in closer communication with the towns and cities, and has added much to their convenience and advantages, and thus encouraged our young men and women to remain on the farms, where they do and may enjoy a greater degree of earthly blessings, true happiness, independence, advantages, and general content than they do in the cities, where they so often encounter difficulties and temptations which are so hard to overcome.

Up to October 2, 1905, 50,389 petitions had been filed, of which 33,486 had been favorably acted on; 12,257 filed with adverse action, leaving 4,655 cases pending. On July 1, 1905, we had 32,121 routes and 32,055 carriers, paying them more than $20,000,000 annually in salaries. There are now 226 routes in operation in my district, giving employment to 226 carriers; nearly all are paid $720 per annum, a total of $13,560 per month, or $162,720 a year. Can we afford to discontinue this whole service in order to accommodate half a dozen mail-order houses that do not contribute a cent to the maintenance of the State, county, or towns, schools, or churches of those localities? But the total amount appropriated last year for the rural free-delivery service was only $25,828,300, and we still have a deficit of $88,000,000. But you say you can also dispense with the city free-delivery service. Of course it will have to go also. But by so doing you have reduced the expenses only $21,000,000, and still you have $67,000,000 to provide for.

Mr. STEPHENS of Texas. May I ask the gentleman a question?

Mr. HAUGEN. Certainly, I will be very glad to answer the gentleman.

Mr. STEPHENS of Texas. I desire to ask the gentleman if he desires to withdraw the support of the Government to the rural free delivery of the country? Are you opposed to the rural free-delivery system?

Mr. HAUGEN. Certainly not; I am opposed to the parcels post under existing conditions, and am in favor of the rural free-delivery service.

Mr. STEPHENS of Texas. I am glad to learn that.

Mr. HAUGEN. The point I am trying to make is this. With a parcels post the danger is, and the general belief is that you would have to discontinue the rural free delivery. Not only the rural free delivery but also the city delivery.

If you establish a parcels post at the rate of 5 cents a pound and the cost is 10 cents a pound, and the business increases to the extent of $100,000,000 you have a deficit of $100,000,000. I am opposed to discontinuing the rural free-delivery service or the city delivery in order to make up the deficit caused by parcels post to accommodate a few catalogue houses.

Mr. NORRIS. Mr. Chairman, will the gentleman permit an interruption?

Mr. HAUGEN. Yes; I will be very glad to have it.

Mr. NORRIS. I do not believe the gentleman said just what he intended to say just a moment ago.

Mr. HAUGEN. I think so.

Mr. NORRIS. You said you were in favor of parcels post to accommodate a few catalogue houses.

Mr. HAUGEN. I said I was against it.

Mr. NORRIS. I thought you meant that.

Mr. HAUGEN. I am in favor of the rural free delivery and city delivery, and against a parcels-post system that will incur such a large deficit. It is generally conceded that parcels post is in the interest of catalogue houses, and will enable them to build up an absolute monopoly in the mercantile business; and I fail to see where such a monopoly would be of sufficient benefit to warrant such action.

I am one of those who believe that we already have more monopolies than is good for this country. We have the beef trust, the harvester trust, and many others. My observation has been that they have been of very little benefit, if any; and I doubt the wisdom of taxing the Government $100,000,000 in order to crowd out the merchants of the smaller towns, and destroy the beautiful towns, villages, and cities throughout the country, and to promote this monopoly.

Mr. NORRIS. I interrupted the gentleman simply to correct him. I thought that in the close of his statement he did not state what he intended.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. STEPHENS of Texas. I desire to ask him this: If the Government should take charge, or, in other words, regulate the amount of charges that could be made by the express companies so as to place it under the railway commission, that would obviate the crying necessity that now exists for a parcels post. In other words, does not the Government come in competition, then, with the express companies in the country, and in that way is not your object to force the express companies to put down the enormous rates they are now charging to the citizens of this country?

Mr. HAUGEN. I will say to the gentleman from Texas that I am in favor of and voted for the amendment to the Hepburn bill, to place express companies under the regulation of the Interstate Commerce Commission. My contention is that the postal rates are higher than the express rates. I made the statement that the express companies charge $2.25 a hundred from Washington to Chicago, a distance of 800 miles. They charge $3 from New York to Chicago, a distance of 1,000 miles. The railroad companies tax the Government 5⅝ cents a pound for an average haul of 442 miles.

Mr. STEPHENS of Texas. Then why does not the Government exert its power and influence to reduce these enormous rates so that there will be no necessity for the parcel post?

Mr. HAUGEN. You have reference to the rates in the postal service? The express charges, according to Cowel's statement, quoted in the Postmaster-General's report, for 1,000 miles, are less than one-half the cost to the Government for carrying mail by railroad companies, including the railway mail clerks, an average distance of 442 miles.

Mr. STEPHENS of Texas. If the gentleman will permit, will not you admit that private individuals or private corporations can carry these parcels cheaper even than the Government can carry them?

Mr. HAUGEN. Certainly they can. There is no question about that.

A great deal has been said about the government ownership of railroads. Here is a fair example of what government ownership means. We are now engaged in a business in competition with private concerns. We pay the railroads for rent on cars and for carrying mail and clerks in the Railway Mail Service an average of 7½ cents per pound for an average haul of 442 miles. The whole postal business aggregates practically $170,000,000 annually, or an average cost of 17 cents per pound for all mail matter handled.

On the other hand, any of the large express companies carry 100 pounds with a limited guaranty from New York to Chicago, a distance of 1,000 miles, for $3, or $2.25 from Washington to Chicago, a distance of 800 miles. These four companies—the American, Wells-Fargo, United States, and Adams—are practically one company, which is an absolute monopoly, no competition existing, all companies having practically the same officers, nearly all railroad lines being divided between them, and but one company doing business on any one road. Their combined capital is $60,000,000, and much of it water. They have 40,000 agencies, employ 50,000 people, handle 100,000,000 packages, 7,000,000 money orders, 20,000,000 other sealed packages, and all pay liberal dividends on stocks and bonds, including watered stocks and bonds; and it is alleged they charge exorbitant prices, and yet the rate on 100 pounds for 1,000 miles is less than one-fifth of the average cost to the Government for handling all mail on an average haul of 442 miles.

The Government also has a printing office, the largest in the world, I believe. The Government printing done by this institution, we have been told here a number of times, costs about 50 per cent more than if done by private contract. The Librarian of the Congressional Library stated to the Committee on Appropriations only the other day that it cost him 60 per cent more to have the binding done by the Government Printing Office than it does other public libraries which have the binding done by private contract. I believe he said 60 per cent.

There can be no question in the mind of anybody but that the public printing and the postal service could be had for one-third less, and I believe it is safe to say one-half of what it costs the Government now if it were let to private concerns. Excessive cost seems to be the result in everything the Government undertakes to do.

In view of these facts I am opposed to the establishment of parcels post, and I am in favor of continuing the 32,121 rural free-delivery routes, which employ 32,055 carriers, and continuing the city delivery, which employs 21,778 carriers, not only to continue these services, but to extend them. We better have this service with $15,000,000 deficit than to dispense with it and establish a limited parcels-post service with $67,000,000 deficit.

The Department is going forward with a mighty speed. Postmaster-General Cortelyou makes this statement:

> What a contrast between the service of his day and that of the present time! From 75 post-offices in 1790, the year of Franklin's death, the number had grown in 1901 to 76,945, and now is 68,131; from receipts of $37,935, and expenditures of $32,140, we have advanced in the same period to receipts of $152,826,585, and expenditures of $167,399,169; from a total force of about 500 to a total force of about 280,000.

Much is said about parcels post in other countries, especially in Germany. Yes, Germany does a parcels-post business on a large scale; but Germany owns its own railroads. The parcels post is a separate business from the post-office business, and is carried in separate cars and on separate trains, stored in separate buildings, and they are separate as much as the post-office and express business are here, except there the two are conducted by the Government, while here only one. But Germany, with her dense population, can not be compared with our sparse population. The German Empire has 208,830 square miles, with a population of 58,500,000, or 280 to the square mile. The United States has 3,000,000 square miles, a population of about 80,000,000, or 27 to the square mile.

Now, we will get back to this public ownership.

Mr. LACEY rose.

The CHAIRMAN. Will the gentleman from Iowa [Mr. HAUGEN] yield to his colleague?

Mr. HAUGEN. Certainly.

Mr. LACEY. The gentleman seems to have investigated this matter very thoroughly, and I would like to ask if there is anything in Germany analogous to the mail-order houses in this country?

Mr. HAUGEN. I could not answer that question. I think not.

I am now coming back to this government-ownership proposition.

Mr. GROSVENOR. Will the gentleman allow me a question?

Mr. HAUGEN. Certainly.

Mr. GROSVENOR. I have not followed closely the gentleman's argument, but I saw a statement the other day of the comparison between the cost of carrying goods by express and by mail, which stated that the express companies gathered the articles in the city of New York and delivered them at the houses in the city of Chicago——

Mr. HAUGEN. Yes, sir; at $3 a hundred.

Mr. GROSVENOR. At half the cost the Government was paying for carrying the mails halfway to Chicago.

Mr. HAUGEN. Yes, sir; that is absolutely correct. They charge $3 per hundred from New York to Chicago, a distance of a thousand miles, and it costs the Government $7.50 a hundred for the average haul of 442 miles. Besides you have this advantage. The express companies make a guaranty. They guarantee the delivery and they guarantee the shipper against loss. The Government makes no guaranty unless registered, and that in limited amounts of from ten to twenty-five dollars. Of course the express rates are higher on smaller and more valuable packages.

Mr. GROSVENOR. The Government delivers the mail onto the cars and takes it from the cars.

Mr. HAUGEN. That is true.

Mr. NORRIS. In order to do this freely, it seems to me you ought not only to count the weight but take into consideration the number of parcels by express and also the number of articles delivered by mail. That might make some difference.

Mr. HAUGEN. It might make some difference as to the average cost.

Mr. NORRIS. Would it not, as an actual fact, make a great deal of difference?

Mr. HAUGEN. The weight of the parcels has nothing to do with it so far as the railroad companies are concerned. The railroad companies have nothing to do with sorting the mail. They simply carry it and are paid a certain amount for carrying it.

Mr. SMITH of Kentucky. I want to ask the gentleman a question. He seems to have investigated this question in a very exhaustive manner. I want to ask him if he is or is not convinced by his examination or investigation that the rates paid to the railroad companies for carrying the mail matter could be very much reduced without doing an injustice to the railroad companies?

Mr. HAUGEN. While I disagree with the Commission's report, I do not wish to put my judgment up against these eight distinguished men. That Commission was made up of four distinguished Senators and four distinguished Members of the House, one of them now a member of the Cabinet, our able Attorney-General; but I intend to investigate that subject carefully and to discuss it at a later date; and all that I care to say at this time is that the Government pays the railroad companies an average of $12\frac{8}{10}$ cents for each of the 362,645,731 miles traveled, or $225 per mile for each of the total 200,965 miles on the 3,064 mail routes; and that it costs the Government an average of 7½ cents per pound for all mail carried by railroad companies, which includes the salary paid the railway mail clerks who look after the mail while in transit.

Mr. SMITH of Kentucky. There is no excuse for that.

Mr. HAUGEN. Another thing, the establishment of parcels post would discriminate against a local merchant. The present law provides that carriers shall not, during their hours of employment, carry any merchandise for hire, except on request of patrons residing on their respective routes, and that only whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster-General may prescribe. With the establishment of parcels post carriers would be required to deliver merchandise sent from outside merchants even though it came in carload lots, regardless of the condition of roads or interfering with their prompt delivery of other mail; and the only way the local merchant could have his merchandise delivered would be by paying full postage—the same rate as the merchant a thousand miles away, who would be near the factory and would have less freight to pay to his place of business, and, of course, could afford to undersell the local merchant by reason of this discrimination.

How would the parcels post operate in our rural districts with rural free delivery service? Suppose the weight limit is fixed at 50 pounds, and some mail-order house made a special price, say, on sugar, and fifty patrons on one route each ordered 50 pounds, and all would be shipped and delivered on one day. The rural free-delivery carrier would have, besides his ordinary mail, 2,500 pounds of sugar to deliver, which would require from one to three teams, according to the condition of the roads. With this freight service added to the mail business, would you expect the carriers to continue their services at $720 per year? Certainly not. I believe the general opinion is that the carriers are now underpaid. In many instances I believe their salaries should be increased even under present conditions.

We now have a deficit of nearly $15,000,000. Are we now to go headlong into a losing proposition that may incur a deficit of hundreds of millions of dollars? No; before considering that proposition let us first endeavor to reduce the expenses. First, give attention to the prices paid the transportation companies, and if possible rearrange the whole service so as to enable the Government to compete with private enterprises engaged in a like business. When that has been done, then there will be time to talk about going into the freight and express business; but not now, when we are confronted with the cold facts that it means a loss of from 1 to 400 per cent on every dollar's worth of business, and, besides, absolutely the discontinuance of the rural free delivery and city free delivery service.

I submit to you unless the cost of carrying and handling the mail can be greatly reduced the Government can not in justice to all concerned go into the express and freight business, such as is commonly called "parcels post."

In conclusion, I want to enter a protest against the delivery of mail to boxes by number alone. In this connection I want to make myself clear that I have no quarrel with the Post-Office Department or anybody connected therewith. The Department has at its head very excellent, accommodating, affable, pleasing, courteous, and competent gentlemen; men of energy, integrity, judgment, and ability; and the same can be said of all connected therewith so far as I know. The Department can not be held responsible for excessive prices paid the railroad companies or expenditures in general. Congress appropriates the money and in most cases specifies how money shall be expended, and it must shoulder the responsibility.

As to the delivery of mail matter numbered, I understand that mail matter simply numbered is not delivered to boxes with a corresponding number; but I have at various times protested against, and will continue to protest against, any law or rule requiring the delivery of mail simply numbered, leaving off the name of the person for whom it is intended. To illustrate the feeling in this matter I will put it as the proposition was put to me by a farmer who called to enter his protest against this method. He had been ordered to number his box. He said he had no objection to the numbering of the box, but protested against being addressed by number. He said that he believed he was entitled to more civil treatment, and made the point that the code of etiquette and law of decency requires that every gentleman and lady shall be addressed by his or her name, and that only scrub animals are referred to by number. If a registered or fine animal is advertised, offered for sale, or referred to, the name is added to the number; if a pen of scrub animals is offered it is generally by number. It appealed to me that there was much force in his argument, and it is fair to assume that the people of your district and my district are entitled to as much consideration and respect as high-class animals.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERMAN. Does the gentleman want any more time?

Mr. HAUGEN. I do not care to deprive other Members of their time.

Mr. WILLIAMS. I ask unanimous consent that the gentleman may have ten minutes more.

The CHAIRMAN. The committee has no control of the time.

Mr. WILLIAMS. That is a great misfortune, Mr. Chairman.

The CHAIRMAN. There was an order made this morning dividing the time between the gentleman from New York and the gentleman from Texas.

Mr. SHERMAN. May I ask the Chair to inform me how the division of time now stands?

The CHAIRMAN. The gentleman from New York has consumed an hour and forty-three minutes and the gentleman from Texas has consumed an hour and thirty-five minutes.

Mr. STEPHENS of Texas. I desire to yield to the gentleman from Iowa who has just spoken ten minutes out of my time.

Mr. SHERMAN. I had asked the gentleman if he had desired further time, and he said he did not.

Mr. HAUGEN. I am very grateful to the gentlemen, Mr. Chairman, but I understand that the time is limited and that there are others who desire to speak. I have already consumed considerable time; and as there is so much to be said on this subject and it would take hours to cover all that is involved in the question, I do not feel justified in proceeding further at this time, but will ask permission to have printed in the RECORD a communication from the Post-Office Department.

Mr. STEPHENS of Texas. We are very much interested.

Mr. HAUGEN. I will not ask for any more time.

The communication referred to is as follows:

POST-OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER-GENERAL,
Washington, February 20, 1906.

Hon. G. N. HAUGEN,
House of Representatives.

SIR: In compliance with your request of February 13, you will find inclosed list of rural delivery routes in your district, showing total number of routes in operation, number ordered established, and number adversely reported. There are no pending applications.

The list furnished in October last is herewith returned.

Very respectfully,

P. V. DE GRAW,
Fourth Assistant Postmaster-General.

Rural-delivery service in the Fourth Iowa district.

Post-office.	Number of routes established.	Reported adversely.	Post-office.	Number of routes established.	Reported adversely.
Alta Vista	1	1	Dorchester	3	
Arlington	4	2	Dougherty	2	
Bassett	1	1	East Elkport	2	
Bonair	1		Edgewood	2	
Burroak		1	Elgin	5	1
Calmer	3	1	Elkader	3	
Carpenter	1		Elkport	1	1
Castalia	1		Elma	4	2
Charles City	6	1	Farmersburg	1	
Chester	2		Fayette	4	
Church	1		Floyd	3	
Clayton		1	Fort Atkinson	2	1
Clear Lake	6		Frankville		1
Clermont	2	1	Fredericksburg	4	
Cresco	8	1	Froelich		1
Decorah	8		Garnavillo	1	

Rural-delivery service in the Fourth Iowa district—Continued.

Post-office.	Number of routes established.	Reported adversely.	Post-office.	Number of routes established.	Reported adversely.
Grafton	1		Plymouth	1	1
Guttenburg	2		Postville	3	1
Hanlontown	2		Randalia		2
Harpers Ferry	1	1	Republic	1	
Hawkeye	4	1	Riceville	4	
Ionia	2	1	Ridgeway	2	
Joice	1		Rock Falls	1	
Kensett	3	1	Rockford	5	
Lansing	3	2	Rockwell	3	1
Lawler	3	3	Rudd	1	
Lime Springs	4	1	St. Ansgar	3	2
Little Cedar	1	4	St. Olaf	2	
Littleport		1	Staceyville	1	1
Locust	1	1	Strawberry Point	3	1
Luana	2	1	Swaledale	1	1
McGregor	3		Thornton	2	
McIntyre	2	1	Turkey River	1	
Manly	2		Ventura	2	
Marble Rock	2		Volga		3
Mason City	8		Wadena	3	
Maynard	2		Watertown	1	
Miltonville		2	Waterville	2	1
Meservey	1		Waucoma	4	1
Mitchell	1	1	Waukon	5	3
Monona	4	1	Waukon Junction		2
Nashua	3		Westgate	1	
New Albin	2	1	West Union	3	6
New Hampton	6				
Nora Springs	4		Total	226	73
Northwood	5		Favorably reported:		
Oelwein	3		Northwood	1	
Orchard	1		Castalia	1	
Osage	6	4			
Ossian	3	1	Total	228	
Osterdock	1				
Otranto Station		2			

Schedule of rates for railway mail transportation.

Average weight of mails per day carried over whole length of route.	Pay per mile per annum. Rates allowable under act of Mar. 3, 1873.	Rates allowable under acts of July 12, 1876, and June 17, 1878.	Rates allowable to land-grant railroads, being 80 per cent of allowance to other railroads, under act of July 12, 1876.	Intermediate weight warranting allowance of $1 per mile under the custom of the Department, subject to acts of July 12, 1876, and June 17, 1878.
				Pounds.
200 pounds	$50.00	$42.75	$34.20	
200 pounds to 500 pounds				12
500 pounds	75.00	64.12	51.30	
500 pounds to 1,000 pounds				20
1,000 pounds	100.00	85.50	68.40	
1,000 pounds to 1,500 pounds				20
1,500 pounds	125.00	106.87	85.50	
1,500 pounds to 2,000 pounds				20
2,000 pounds	150.00	128.25	102.60	
2,000 pounds to 3,500 pounds				60
3,500 pounds	175.00	149.62	119.70	
3,500 pounds to 5,000 pounds				60
5,000 pounds	200.00	171.00	136.80	
For every additional 2,000 pounds	25.00	21.37	17.10	
Over 5,000 pounds				80

No allowance is made for weights not justifying the addition of $1.

Rates allowable per mile per annum for use of railway post-office cars when authorized.

Railway post-office cars, 40 feet	per daily line	$25.00
Railway post-office cars, 45 feet	do	30.00
Railway post-office cars, 50 feet	do	40.00
Railway post-office cars, 55–60 feet	do	50.00

To constitute a "line" of railway post-office cars between given points, sufficient railway post-office cars must be provided and run to make a trip daily each way between those points.

Mr. WILLIAMS. I ask unanimous consent that the gentleman from Iowa may continue his remarks in the RECORD.

The CHAIRMAN. The gentleman has that permission under the order adopted yesterday.

Mr. GARDNER of Massachusetts. Mr. Chairman, in view of the fact that in my opinion the Committee on Immigration will report a substantial measure for the restriction of immigration, it is my desire to get as much time for debate on that question as possible. I know if that bill comes before the House there will be an immense demand for the time allotted to debate, so I take this opportunity to express my views, and shall be glad to be interrupted by any gentleman who wishes to ask a question.

The humanitarian urges us not to restrict immigration, because our forefathers had the advantage of a free country into which to come as pioneers and found for themselves homes in a new world, and because America should ever be a land of refuge for the oppressed and for the ambitious man. But go down to Ellis Island any afternoon when a ship from Genoa is coming in; watch that long line of assisted and semicontract labor passing the inspectors, and then try to pick out one man in five who looks like a hearty self-respecting pioneer, and not like a man brought here under a contract expressed or implied. But, says the practical man, these men are all needed; there is a demand for their labor; if there were no demand, how could they come here and get jobs? Well, there is no question that over 1,000,000 came here last year and got jobs yielding, under present conditions, a very fair living.

But times are very prosperous now. When times are hard what is to become of this vast population which has come into our land? Some of it will go home, perhaps, but the bulk of it will remain to compete with our own people for limited opportunities of employment.

There is an unlimited demand for labor if very low wages are paid. We all could build railroads if the wages were not too high. So, when the practical man says that the restriction of immigration will interfere with new enterprises by restricting the labor supply, is that observation anything more than an expression of fear as to the cheapness of his labor supply? It may be very true that if he can not get cheap labor many valuable enterprises must be stopped because there is not the cheap labor to carry them on. It may be that those enterprises not only would inure to the promoter's benefit, but to the benefit of many other people as well. Still, would not the indicated line of reasoning obtain if you were to cut existing wages in the United States in half? Would not many enterprises at once be undertaken because they could be made profitable with cheaper labor? Undoubtedly so. Undoubtedly many men would profit; and yet no sane man would think it good for this country to reduce wages one-half.

How often we hear the argument that as each new race comes in it lifts up the others. Well, I will admit that in the past there has been that tendency; but we have 80,000,000 people here now, and that is too great a number for a superstructure. Only a small part of 80,000,000 can be employers or shopkeepers or foremen. I do not believe it is any longer true that the incoming races are pushing up all of those already in, but I think, on the contrary, that you are subjecting our workmen striving to maintain their standard of wages to a competition which is unfair.

Our immigration officials lay a great deal of stress on the question of the distribution of immigration. They point to the fact that over half of these aliens settle in New York and Pennsylvania, and yet that throughout the West and the South there is a demand for labor. Immigration, however, does not go there, and they say that there ought to be a remedy.

In my opinion, there can not be any remedy except natural laws. Immigrants do not stop in New York and Philadelphia because they are put there. They stop because there is a demand for them there, and because they can get higher wages and more steady employment than if they went somewhere else. It is foolish to say that these immigrants congest our large centers and become charges upon the community. It is not true. There were 315,000 immigrants settled in New York State last year, one year's importation alone, and yet only 12,000 aliens, all told, are in the penal and charitable institutions of the State. In Pennsylvania less than 6,000 aliens, all told, are in charitable or penal institutions, and yet 210,000 last year alone settled in Pennsylvania. I think that we must accept the fact as demonstrated beyond doubt that those people stay in Pennsylvania and stay in New York on account of economic reasons.

At the immigration conference in New York again and again I heard speakers tell of the demand for labor in the West and in the South. In private conversation with the speakers I generally found that steady jobs were not offered, or else that the rate of wages was lower. Under present conditions in the South, I found that in the cotton mills the rate of wages was fairly high and that the employment was steady. I say to you, Mr. Chairman, that if the rate of wages now obtaining in some of the southern cotton mills continues the question of their labor supply will be solved by migration from Fall River and other northern places.

Mr. WILLIAMS. Mr. Chairman, is it or is it not true that

a majority of the Hugarians and Italians coming into the United States now are peasants and agricultural laborers?

Mr. GARDNER of Massachusetts. Nearly a majority.

Mr. WILLIAMS. Then does the gentleman know any good reason why these idle men, with agricultural training behind them, should not be directed by immigration laws to the idle lands in the South and in the West?

Mr. GARDNER of Massachusetts. Mr. Chairman, I can refer the gentleman to the Manufacturers' Record, published in the city of Baltimore, July 20 last. This contains a symposium of views collected all over the South, from all sorts of men, showing what results have obtained when the attempt has been made to connect the jobless man with the manless job. You will find almost invariably——

Mr. WILLIAMS. The gentleman has misunderstood me.

Mr. GARDNER of Massachusetts. I think I understood the gentleman.

Mr. WILLIAMS. He is stating his position too broadly. I am not undertaking to connect the jobless man with the manless job. I am undertaking to connect the idle agricultural man with the idle acre.

Mr. GARDNER of Massachusetts. Continuing with what I was saying, the symposium shows that when these foreign arrivals have been settled in various parts of the South by somewhat artificial means, such as the intervention of State immigration agents, they frequently do not stay. Many proceed at once to the city, where they find permanent employment and conditions existing which, rightly or wrongly, they desire. It is not to be wondered at that they prefer the city. If there was any medicine that I could inject into the Yankee boys in my district to keep them in the country instead of having them flock to the city I should be glad to know it. I do not expect these aliens to have any less predilection for the city than those Yankee boys.

Mr. GRAHAM. Will the gentleman allow an interruption?

Mr. GARDNER of Massachusetts. Certainly.

Mr. GRAHAM. The gentleman states that it is impossible, in his opinion, to so scatter the immigrants that they will not settle in the crowded cities of the United States. In a bill that I had the pleasure of offering, and which rests in the Immigration Committee, I proposed to allow or permit the Secretary of Commerce and Labor to prevent these men from immigrating into this country unless they will scatter throughout the States—in other words, to prevent their settling where there is 30 per cent foreign population now existing; not to allow them to settle in any city or town where there is 30 per cent of foreign population at present.

Mr. GARDNER of Massachusetts. Mr. Chairman, I have given that proposition no thought, but, as stated by the gentleman, I should say it was all moonshine. To go on, in accordance with suggestions of Commissioner Sargent, after a close examination and full hearing, two bills for the better distribution of immigrants have been introduced, one of them by my colleague on the committee, Mr. HAYES, of California, and the other by myself. In my opinion, neither of them amounts to much as a practical measure for distribution against the current of supply and demand.

Now, in discussing immigration matters, people who have not given study to the subject fail to appreciate the difference between selection of immigration and restriction of immigration. For instance, we have laws which exclude those who are likely to become paupers, those who have certain physical defects, loathsome diseases, and the like. Those are selective laws. Then we have the contract-labor law, which is a restrictive law, tending to cut down the numbers that are coming in, irrespective of whether aliens have certain given mental, moral, or physical qualifications.

Then we have the $2 head tax. That is an excellent thing as a revenue measure, but is not a success either in the direction of selection or of restriction.

The proposed educational test, which I believe to be good as far as it goes, is both a selective and a restrictive measure, but it does not begin to be restrictive enough. I do not believe it would accomplish what I want to see accomplished, which is a horizontal cut right through the center of our immigration. Now, if it is selection that the people of the United States want, pass the Dillingham bill. I understand from immigration authorities that if that had been in operation last year it might have cut down the immigration a few thousand.

Mr. DRISCOLL. Will the gentleman allow me an inquiry?

Mr. GARDNER of Massachusetts. Certainly.

Mr. DRISCOLL. What does the gentleman mean by a horizontal slash? Does he refer to countries or to the number of immigrants?

Mr. GARDNER of Massachusetts. Perfectly irrespective of race, religion, or country, as I will show the gentleman if my time does not run out. A head tax would operate alike on one country as on another.

Mr. DRISCOLL. I do not know if the gentleman has considered this proposition; if immigrants from foreign countries should be prohibited from coming here, have we any class of people in this country who, from generation to generation, would do what we ordinarily call the "common work," what some people call the "servants' work?"

Mr. GARDNER of Massachusetts. If we pay enough they will do it, and if we haven't anybody else to do it we have got to do it ourselves.

Mr. DRISCOLL. Is it not true that there never was a country that we know anything about where what we call "society" is so much in a state of unrest from bottom to top as it is in this country? Has it not been the case for many years that people born in one State insist on getting up and moving to another State?

Mr. GARDNER of Massachusetts. The gentleman means the tendency to migration?

Mr. DRISCOLL. Not only to migration, but a tendency to elevate one's self in one's work, a constant tendency to elevate one's standing in the community.

Mr. GARDNER of Massachusetts. There is no question but that has been the history in time past.

Mr. DRISCOLL. So that there is to be nothing left at the bottom. Is not that the situation?

Mr. GARDNER of Massachusetts. I believe we can put the bottom on a higher plane.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield to a suggestion and to a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GARDNER of Massachusetts. Yes.

Mr. SHERLEY. I want to suggest to the gentleman that one of the troubles seems to be that immigration is forced into this country by virtue of the greed of steamship companies. They undertake to procure immigrants for the money that is to be made out of transporting them.

Mr. GARDNER of Massachusetts. I do not think that the principal trouble. I think it is an element in the question. If my time does not run out, I think the gentleman will see later that I give due weight to steamship activity, but that I point out a cause a good deal deeper.

Mr. SHERLEY. The gentleman must not misunderstand me——

Mr. GARDNER of Massachusetts. I quite understand the gentleman's point, but that he will see I am coming to later—the question of what the motive force is which brings an individual in here.

Mr. SHERLEY. If the gentleman will permit me, I do not want to take up his time unless he desires——

Mr. GARDNER of Massachusetts. I want to discuss this question and I am glad to have any question asked. Now, at the risk of making my speech wrong end foremost, I can explain somewhat to the gentleman my theory as to the basic cause for our gigantic immigration.

Mr. SHERLEY. If the gentleman will permit me, it might save his time and mine if he will allow me to suggest my inquiry without his undertaking to determine what it is before hearing it, and that is this: That being one of the causes—not the controlling cause—which brings much undesirable immigration, could we not, to some extent, remedy the matter by a law restricting the number of immigrants on each ship? Would we not thereby circumvent the greed of the shipowner, as the allotted number would readily take passage without special inducement, and those only would come who desire to emigrate of their own initiative?

Mr. GARDNER of Massachusetts. Well, Mr. Chairman, we have to some extent restricted the number of passengers for a great many years under our navigation laws. Canada has tried it in the case of the Chinese, but she charges Chinamen a $500 head-tax as well.

To go on, if the people want only selection, why we can pass any number of little bills providing that an alien be excluded if he has poor physique, is an imbecile, and the like. There were 279 certified at Ellis Island last year for poor physique. We might have excluded them under the Dillingham bill. There were 47 imbeciles admitted at the same port; but what does all that amount to? We can exclude a few thousand by selective measures, but if we really want restrictive measures and seriously desire to cut down our immigration we have got a fight on our hands, and it is none too soon to begin. We shall be fought at every stage. The steamship companies and the large transportation lines might put up a mock battle against some of these unimportant selective bills, with a view to keep-

ing us as long as possible at the soup before we get at the meat, but if we try to get a real restrictive measure through Congress we shall have every transportation line and every steamship line trying to stop us, and it will not be any sham battle. I for one would rather see a real restrictive bill reported to this House and beaten than pass half a dozen of those little, unimportant selective bills, which merely tend to raise the qualifications of a few thousand people.

You will find plenty of people to allege that the trouble is not with our immigration laws, but with their enforcement. That is a very easy thing to say. Anyone who has not been as much at Ellis Island as has my friend the gentleman from New York [Mr. GOULDEN] and as I have been might suppose that there was something in the statement. There is nothing in it at all, however. I take pleasure in saying that the officers of our Marine-Hospital Service who examine the immigrants physically and the inspectors of our Immigration Bureau who do the rest enforce the laws as well as they can be enforced. Their failure to enforce the law arises from the nature of the case. They fall down not on the physical side, but owing to the impossibility of executing our contract-labor law and our law against the admission of people likely to become a public charge.

Mr. Chairman, how much more time have I remaining?

The CHAIRMAN. The gentleman has five minutes remaining.

Mr. GARDNER of Massachusetts. Then, Mr. Chairman, I will take up this question of our contract-labor law, without going into the medical end of the question. I should be glad to describe to you the exact system of medical inspection, because I believe it is practically sound, no matter what anybody else may say. That is an individual opinion, however. Our laws against the admission of contract labor break down utterly. Two-thirds of our adult male immigrants, in my opinion, come under contract, express or implied. I heard that statement doubted the other day on the floor of the House. I think two of the Members from New York were amongst those who doubted it, so I desire to read one or two pieces of evidence which may be material:

Mr. GARDNER. Now, as a matter of fact, do you not think a very large proportion of the labor that comes into this country comes under an implied contract?

Mr. SARGENT. I think there is no question about it, Mr. Gardner. (From page 69 of Commissioner Sargent's testimony before the Immigration Committee.)

Now, in the report of Commissioner Williams, of New York, in 1904:

A very large percentage of the present immigration is of the assisted class. (Page 105, Annual Report of Commissioner-General of Immigration for 1904.)

I quote from Inspector Marcus Braun's report of his investigations abroad, page 27:

Furthermore, these immigrants are mostly contract laborers.

He is referring, as the context will show, to immigrants from eastern and southern Europe. I have evidence here of the same tenor from Mr. Campbell, of the Bureau of Immigration. I think any man who goes down to Ellis Island and uses his eyes and hears these people answer the inspectors would be convinced that the contract-labor law is nearly inoperative. But how can the inspector prove it in any individual case? The inspector stands there with the manifest in front of him, the answers stamped or written in. He asks the immigrant a series of questions. The immigrant answers him exactly in the words of the manifest. The inspector asks whether anybody has given him money for his passage and the immigrant says "No." He asks him if he has come there under a contract, and receives the same reply. Then they cross-examine the immigrant, often by another interpreter. Unless that immigrant has been very badly schooled or is very stupid, or unless some suspicious circumstance arises, nobody can say that he ought to be excluded. Perhaps too many aliens are billed to the same address. That is suspicious, and the men are held for a board of special inquiry, sitting the next day. Once in a while, but not often, they are able to show a strong probability that those men are contract laborers. As a matter of fact, I think we sent home 1,164 contract laborers out of an immigration of a million last year. Yet I do not believe that any man who has looked into the question believes that much less than two-thirds of our adult immigrants are indeed contract laborers. Now to come to the question of remedy.

How much time have I, Mr. Chairman?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JAMES. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to conclude his speech.

The CHAIRMAN. The Chair has no authority to grant additional time.

Mr. SHERMAN. The gentleman has authority to print, and I desire to state to the gentleman from Massachusetts that I promised what little time I have remaining.

Mr. GARDNER of Massachusetts. I quite understand the situation. If the gentleman will yield me one minute, I desire to make a statement. Whereas, Mr. Chairman, I should be very glad to print the rest of my ideas, I much prefer to take time on another appropriation bill to discuss this matter before the House. I am not making this speech especially for circulation, but because I want to discuss with the House the question of immigration. I shall be glad to ask for more time some other day.

Mr. SHERMAN. Mr. Chairman, I now yield to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Chairman, I desire to call the attention of the House to the proposition pending before it for methylated or denatured alcohol for use tax free as an industrial agent. In my judgment, the enactment of this measure into law has in it as much of real promise for the public good as any other measure pending before this House. It would create a new industry that in time would place in the pockets of the people millions of dollars and add immeasurably to their comfort and convenience.

While I desire to call your attention briefly to some of the uses to which alcohol can be put, I wish first to offer some observations as to whether it is practical to enact this law.

At the outset let me say that I am not urging this law in the interest of a reduced tax upon alcohol for use in the beverages. That tax is needed and I believe should be retained in preference to taxes that affect the necessaries of life. The proposition that I make is to permit the use of alcohol free of revenue tax after it has been rendered unfit to drink by mixing it with the poisonous wood alcohol or other like ingredients. In the present state of our revenues I do not believe that it would be advisable to attempt to secure free alcohol for use even in drugs or medicines.

The question of whether the character of denatured alcohol can be preserved so as to prevent its use as a beverage in place of the taxed article appears to be the one question of most importance. This is not a new question, but one that has received the most careful consideration in this and other countries. Though the best chemical skill and appliances have been employed in an effort to prove that denatured alcohol can be purified, I believe that it can be said without fear of contradiction that not a single experiment has been made showing that it is practical to entirely remove the peculiar odor and taste from denatured alcohol so that the fraud could not be readily detected if an attempt should be made to dispose of it in place of the taxed article. It is asserted on very high authority that denatured alcohol can not be purchased and restored so as to be suitable for use as a beverage at a price less than the cost of alcohol, including the revenue tax added. It would be necessary not only to pay for the original production of the alcohol, but for a number of distillations requiring extra skill with special appliances, much more difficult than for the original distillation before denatured alcohol could be used for any kind of drink, and even then the telltale smell and taste of the elements used for denaturing would remain to accuse and convict. These investigations have satisfied nearly every civilized country that alcohol can be denatured so that it can be used for industrial purposes free of tax without danger to the revenue from alcohol used for beverages. Of the great industrial and commercial powers the United States alone has refused to be convinced, and is to-day a conspicuous example of a country adhering to an illiberal and unprogressive policy. Substantially the same objections that can be made to tax-free denatured alcohol in this country can be made to it in the European countries. There, as here, alcoholic spirits for use as beverages bear a heavy tax for the support of the Government. The only difference that has been urged is that in Europe the population is more dense and more closely under police surveillance than here. This, in my judgment, is not a material difference. Our thorough system of communication and ever active and aggressive news agencies serve to expose crime, which is all that is necessary, as the personal interest that every citizen in a free country has in enforcing the law renders police surveillance unnecessary. Among those who obey the law there are always those who profit by the enforcement of the law. If police surveillance should be considered necessary, you have in the postmasters and mail carriers an agency that comes in touch with every man, woman, and child in the land almost daily, a means for securing practically without cost information that would surely lead to detection and punishment. In a bill that I have drawn on this subject I have suggested the possibility of this agency. The Commissioner of Internal Revenue

does not appear to think that there would be any advantage in a sparsely settled locality for restoring this denatured alcohol. He said in a hearing before the Ways and Means Committee a few days ago, in discussing this subject, that he did not think there would be any more danger of fraud than we have now by reason of illicit practice in distilling, and added:

I suppose the purification of this denatured alcohol would require the very finest type of still and everything of that kind. It would be difficult to find a place where they could operate it. They could not operate it in the mountains; they would have to go up in the tenth story of some building where they could have modern implements.

It is fear of punishment and not the difficulty of committing crime that prevents the criminally inclined from breaking the law. The distillation of alcohol from sweet wines or other substances is much easier than from denatured alcohol, and much safer, as the product would not offer any means for detection. That the danger to the revenues has been exaggerated appears evident from the fact that to-day about three and one-half million gallons of alcohol is used tax free to fortify sweet wines. These wines contain about 25 per cent alcohol; still there has been no complaint that this alcohol has been distilled from the wine, a thing that could easily be done, and, it would seem, at great profit.

But it does not seem necessary to speculate on this question, as the experience of years ought to be considered as having settled it. The European countries have operated under such laws for many years and have found so little trouble with the anticipated fraud on the revenues that instead of increasing they have from time to time relaxed their restrictions, and instead of adding more material to denature it they are adding less. England, which collects a larger revenue per gallon than we do on alcoholic liquors, has just completed an investigation of this whole subject by a commission that has recommended that the material for denaturing be reduced one-half or more, and that the restrictions upon the sale and use of denatured alcohol be relaxed. Germany is still more liberal. Can we afford to confess that our people are so lawless or the Government so incompetent that this measure of so much importance to the people can not be permitted to pass? Why not suppress the silver dollar and the greenback to prevent counterfeiting and forgery? The arguments that would apply to one position would no doubt apply to the other.

The time has come when the necessity for this relief is becoming more and more pressing. With wasteful indifference the supply of fuel is, in many localities, rapidly being exhausted. Fuel, on account of its bulky nature, is difficult to transport to any great distance and, as a consequence, in many localities the price is very high and rapidly increasing. The people are anxiously looking for relief and have, in my locality, given serious consideration to the use of peat as a fuel. Every mail brings letters urging free denatured alcohol as a possible remedy. It is believed that if denatured alcohol is given the same considerate treatment as it is accorded in Germany the day is not very distant when many sections will produce the alcohol needed for light and, to some extent, for heat and power. To do that it would, of course, be necessary to produce alcohol at a much less figure than that at which it is sold to-day. That this is possible seems perfectly evident. The records of the Commissioner of Internal Revenue show that first-class distilleries produce about 5 gallons of proof spirits to every bushel of corn and it is known that the by-products more than pay for the cost of distillation. This would make the cost of alcohol, 90 per cent pure, about 11 cents per gallon if produced from corn at 30 cents per bushel; but call it 15 cents per gallon, or one-half of the price of a bushel of corn. Alcohol has been sold in this country at 20 cents per gallon plus the tax. But it should be borne in mind that though corn is the usual material for the production of alcohol for use as a beverage, it is not likely that it would be used for the production of denatured alcohol, as such alcohol can be produced much more cheaply from other materials. Alcohol produced from potatoes is not so desirable for drinking purposes as that from corn, but is equally serviceable for industrial purposes.

The Secretary of Agriculture, Mr. Wilson, has lately called attention to the fact that an ordinary crop of potatoes will produce twice as much alcohol as an ordinary crop of corn, and that the amount of alcohol produced from the ordinary potato may be largely increased, if not doubled, by planting potatoes especially suited for this purpose. He said that it would be within bounds to say that 500 gallons of alcohol 95 per cent pure could be produced from one acre of potatoes. He also called attention to the fact that the corn stalks from an acre of ripe corn would produce more alcohol than the corn itself. Without referring to other sources of supply, such as beets, sweet potatoes, yams, and cassavas equally serviceable, it is evident that alcohol can be produced and sold at a cost so small that it would readily compete with the present price of gasoline and kerosene in many localities. This is not a matter of mere guess. What has been done in other countries can be done here. In Germany alcohol has been sold as low as 12 cents per gallon, and is being largely used there for light, heat, and power. The conditions in Cuba are still more favorable, and alcohol there serves the same purposes at a still lower figure. It has been urged that the material for producing alcohol can not be raised as cheaply here as in Germany because of the difference in price of labor. This may be true of the production of beets, but it is certainly not true of potatoes, which can be planted, cultivated, dug, and placed in the wagon box for market by machinery. It is a product of the cheapest kind of land with practically no hand labor. America beats the world in that kind of productions. To get this fuel as cheaply as possible I believe you should allow small distilleries on the cooperation plan, such as they have in some European countries, so that the farm products can be hauled directly from the farms to the distillery, and the alcohol taken from the distillery to be used after being denatured without the addition of too much cost for transportation. In this way you can no doubt have very cheap alcohol. So judging by the experience in Germany this law would afford the farmers a very important market, as it would no doubt soon double the present production of alcoholic spirit. Almost 30,000,000 bushels of grain besides a large amount of sirup is now used annually for the production of alcohol. This means a large market, one that will be constantly expanding and against which no hostile tariff can interfere. The president of the Great Northern Railway Company said a few years ago that the oriental market for some 5,000,000 bushels of wheat had increased the price of wheat here at least 5 cents per bushel. If that was true, what then can be said of the effect of this demand?

People who have not given this matter any consideration may feel that these claims are extravagant, and for fear that some may think that my views need corroboration I wish to call your attention to a statement made a few days ago by the Secretary of Agriculture, Mr. Wilson. He said, in part, before the Ways and Means Committee of this House:

In the future—it may be some time in the future—the time will certainly come when the world will have to look to agriculture for the production of its fuel, its light, and its power. It seems to me that through the medium of alcohol agriculture can furnish in the most convenient form for use of man this absolutely necessary source of supply. I believe, therefore, that the utilization of alcohol in the arts and in the industries, under such restrictions as would safeguard the fiscal right of the United States Government, would prove not only a great stimulus to the manufacturers, but a great benefit to agriculture.

United States Consul-General F. H. Mason, of Berlin, speaking in a special consular report of the use of alcohol in Germany, says:

At its present price of 15 marks per hectoliter (about 13 cents per gallon) it competes economically with steam and all other forms of motive energy in engines of less than 20 horsepower for thrashing, pumping, and all other kinds of farm work, so that a large percentage of the spirit produced in agricultural districts remote from coal fields is consumed in the district where it is grown. The motor for farm use is tightly inclosed and absolutely free from danger of fire.

He also speaks of alcohol engines as having advantages over other engines in that they are immediately ready for operation, clean and free from odors, and possessing greater economy of maintenance. In this he is strongly corroborated by the distinguished scientist, Prof. Elihu Thompson.

The denatured alcohol is especially suited for the production of light. One gallon of this alcohol will produce twice as much light as a gallon of kerosene. The alcohol lamp does not smoke or gum. It is easily cleaned and with a Welsbach burner gives a strong white light closely resembling an electric light. Hundreds of millions of gallons of kerosene are used each year in this country for light, while a much better and cheaper light could be supplied from alcohol. In Germany an alcohol heating stove is made and used. It is said to give very good results and at a very low figure for cost. Such a stove could, no doubt, be used here to great advantage. Of late the internal combustion engine has come rapidly into general use. The demand for it is very great. It is wanted, among other things, for pumping water, grinding feed, sawing wood, elevating grain, turning printing presses, and running machines in small mills, shops, and factories. It is wanted for automobiles. The only fuel available at this time for the operation of this engine is gasoline. The supply of gasoline is limited, as it is a by-product of kerosene. The petroleum of the South and West produces very little gasoline, while the petroleum of the East only produces 5 to 10 per cent. It has become necessary to find a market for immense quantities of kerosene to be able to produce at a profit a sufficient amount of gasoline. The demand for this gasoline has been very great. Some has been imported and the price has risen rapidly, so that in my locality it is sold as high

as 20 to 25 cents per gallon. If the demand for these engines is to be met it is necessary to find some other fuel than gasoline. Alcohol answers the purpose and has many advantages over it. It is said to give more power than gasoline, is cleaner, produces no disagreeable odors, is more reliable, and can be handled without danger of explosion and fire.

It is the ideal fuel for the farm engine. Give this alcohol to use free of revenue tax and you will gradually see a cheaper, cleaner, and better lamp replacing the kerosene lamp; the alcohol stove free from the disagreeable odor of gasoline and much safer than the gasoline stove will be used for cooking and to quite an extent for heating. The alcohol engine will be doing duty everywhere; the automobile needs it to make possible and secure its future. Some day it may draw our plows, harvest and thresh our crops, as it is now doing to quite an extent in Germany. Many industries now suffering for lack of this cheap industrial agent will profit immensely. But it is not necessary to enumerate the advantages, as they must be apparent to all.

No doubt alcohol has in the ages past been more of a curse than a blessing, but I believe the day is at hand when the temperance people can work hand in hand with the distillers for the production of alcohol, not for drink, but for industrial uses, not to impoverish and debase, but to enrich and bless with the comforts and conveniences of life. It appears clear to me that there is no justice in retaining this tax which affords but a meager revenue, as the tax is so high that the use of grain alcohol is prohibited for the purposes for which denatured alcohol can be used. The wood alcohol has taken its place. Careful estimates would indicate that only from three to five hundred thousand dollars in revenue would be lost by enacting this law. The added stimulus given business by allowing tax free alcohol would no doubt in a large measure recoup this loss. A small tax upon the alcohol now used free of tax to fortify sweet wines, as recommended by the Commissioner of Internal Revenue, would, I believe, more than make up the loss. This tax simply serves to shackle a great industry and to take away from the people a great opportunity.

Those engaged in producing wood alcohol, kerosene, and gasoline are profiting largely by this tax on industrial alcohol, and are of course opposed to this law. In 1896 it appeared in the hearings before the joint committee of Congres investigating this subject of denatured alcohol that the wood-alcohol people were an absolute monopoly, with power to fix prices arbitrarily without reference to the cost of the product. They had for years sold one-fourth of their product in foreign countries at a net price to them of about 27 cents per gallon, while they sold their product in this country for more than double that amount. The claim was made that their sales in foreign countries were at a loss, a thing I doubt very much. The sales were made at the European price to meet competition there, and it would seem to me that with our cheaper material for the production of wood alcohol it could be made as cheaply here as in Europe. I need not argue that this tax should not be retained on industrial alcohol to protect the producer of kerosene and gasoline. If there is anyone interested in the Standard Oil Company, let him make his plea for that company. The wood-alcohol trust and the Standard Oil trust ought not to prevail against a legislation so manifestly in the interest of fair play. They can not reasonably ask or expect that an industry with such vast possibilities for public good shall forever remain shackled for their special benefit. How quickly would they resent and condemn a tax upon their products; how strongly would they not urge its repeal? Let not past injustices be urged as an excuse for further injustices. No man has a vested right to retain the benefits of an unjust law at the expense of the public. The enactment of this law would not, in my judgment, destroy the wood-alcohol factories or send Rockefeller to the poorhouse. The production of wood alcohol and petroleum will continue to be necessary, but this law will tend to keep their prices within some reasonable limit. We are only asking that denatured alcohol shall have the same opportunity as the articles with which it comes in competition, the same opportunity as every other honest industry. We ask that an unfair law behind which monopolies shelter shall be repealed for the public good. [Loud applause.]

Mr. SHERMAN. Mr. Chairman, I yield a minute to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Chairman, I just simply desire to reply to the gentleman from Massachusetts [Mr. GARDNER] as to his statement that the scheme as proposed in my bill to restrict immigration was all moonshine. I desire to state, if he will take the trouble to read the bill that I have presented in Congress, he will find out whether it is all moonshine or not. He will find that it is the most restrictive and drastic measure that has ever been presented to this House, in my estimation.

Mr. GARDNER of Massachusetts. Mr. Chairman, I apologize to the gentleman for making an impolite statement in the heat of debate.

Mr. GRAHAM. I am very much obliged to the gentleman. I have no doubt he did not mean it in that sense, but I wanted the Members of the House to understand, and therefore I will insert my bill in the RECORD, so that the Members can get at the facts in the case. It is as follows:

Be it enacted, etc., That there shall be levied, collected, and paid a duty of $10 for each and every passenger not a citizen of the United States or of the Dominion of Canada, the Republic of Cuba, or of the Republic of Mexico who shall come by steam, sail, or other vessel from any foreign port to any port within the United States, or by any railway or any other mode of transportation, from foreign contiguous territory to the United States. The said duty shall be paid to the collector of customs of the port or customs district to which said alien passenger shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of every such vessel or transportation line. The money thus collected shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation, to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under this act, including the cost of maintaining a bureau for furnishing aliens at ports of embarkation and domestic ports with information regarding different parts of the country, the needs and demands for labor therein, the resources and climate of the different sections of the country, also including the cost of reports of decisions of the Federal courts and digests thereof for the use of the Commissioner-General of Immigration, the cost of translating and printing certain parts of the immigration laws and regulations, and of printing application blanks and certificates of admission hereinafter provided for, and the salaries and expenses of all officers, clerks, and employees appointed especially for the purpose of enforcing the provisions of this act. The duty imposed by this section shall be a lien upon the vessel which shall bring such aliens to ports of the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy. The head tax herein provided for shall not be levied upon aliens in transit through the United States, nor upon aliens who have once been admitted into the United States and have paid the head tax who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided,* That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section 32 of this act, may arrange in some other manner for the payment of the duty imposed by this section upon aliens seeking admission overland, either as to all or as to any such aliens.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, insane, or feeble-minded persons, epileptics, and persons who have at any time previously been insane; paupers, persons likely to become public charges; professional beggars; persons afflicted with a loathsome or dangerous contagious disease or with tuberculosis; persons who are wholly dependent for their support upon their own physical exertions and who are afflicted with a chronic disease or whose physical or mental condition is such as would incapacitate them for such work; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude other than a purely political offense; bigamists; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all government or of all forms of law, or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; those who have been within one year from the date of the application for admission into the United States deported as being under offers, solicitations, promises, or agreements to perform labor or service of some kind therein; any person over 10 years of age who can not read and write; any person over 60 years of age who will be dependent upon his or her own exertions, unless he or she be one who has been sent for as hereinafter provided; any child under 18 years of age unaccompanied by any parent, grandparent, or lawfully appointed guardian, unless such child has been sent for as hereinafter provided; and also any person whose ticket or passage is paid for with the money of another or who is assisted by others to come; but this section shall not be held to prevent persons who have become citizens of the United States, and who themselves are residing therein, from sending for a grandfather, grandmother, father, mother, brother, sister, child, or grandchild who is not of the foregoing excluded classes: *Provided,* That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further,* That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: *And provided further,* That no aliens shall be admitted into the United States without first having obtained from the diplomatic or consular officer of the United States nearest his or her place of residence a certificate of admission as shall be hereinafter provided for. Upon receipt of application for such certificate the diplomatic or consular officer shall furnish the applicant with a copy of the United States immigration laws, as well as of the regulations governing the admission of immigrants under the provisions of this act, which shall be translated in the language of the government to which he is accredited, and he shall require said applicant to fill out and execute under oath a formal application in triplicate, to be prescribed by the Secretary of Commerce and Labor, setting forth the reason of the applicant's desire to become a citizen of the United States; his or her trade or occupation; date and place of birth; names of his or her grandparents, parents, brothers, or sisters; if married, name of his or her wife or husband and of children and grandchildren, if any; present and previous residence; state of health; his or her intended destination in the United States, and intentions upon reaching there; and whether he or she is the owner of real or personal estate, and if so, of what description and value. With said formal application the diplomatic or consular officer shall also require a certificate, also in

triplicate of the chief officer or minister of police where such applicant resides to the effect that the applicant is under no charge of crime or violation of law, and has not been for a period of five years. Upon receipt of such application and certificate the diplomatic officer shall, if same be in proper form, communicate (and the consular officer shall so act through the proper diplomatic representative) with the foreign office of the government to which he is accredited with a view to ascertaining whether for any reason said applicant would not be permitted to emigrate. Upon satisfying himself as to whether or not the applicant is in every particular under the provisions of this act entitled to admission into the United States the diplomatic or consular officer shall forward the original and duplicate (retaining the triplicate for the records of his office) application and certificate, with complete description of the applicant, to the Secretary of Commerce and Labor, with his recommendation. In the Secretary of Commerce and Labor shall be vested the power to refuse the issuance of certificate of admission to any person not entitled to admission under the provisions of this act, and also, in his discretion, to persons whose intentions are to take up his or her residence in any city or town having a population consisting of over 30 per cent of foreign-born residents: *Provided*, That such person is not a grandparent, parent, wife or husband, brother or sister, or child or grandchild of a parent already in the United States and shall have come after having been sent for, as herein provided; and any alien who shall take up his or her residence at a place other than that described in his or her application shall be guilty of a misdemeanor and, when apprehended, shall be deported in accordance with existing law. If the Secretary of Commerce and Labor decides that the applicant is entitled by law to admission he shall cause to be issued in duplicate a certificate containing a complete and accurate description of the applicant, his or her final destination in the United States, and the names of his or her grandparents, parents, brothers, sisters, wife or husband, and children and grandchildren, if any, granting to the applicant admission into the United States at any time within the period of ninety days after thirty days from the date thereof, provided said applicant shall be found, upon examination by immigration officers at the port of arrival, entitled physically and mentally to admission under the provisions of this act, and these shall be forwarded to the diplomatic or consular officer to whom the application was made. The diplomatic or consular officer shall notify applicant of their receipt, and immediately prior to said applicant's departure, and upon receipt of a fee, to be reported and accounted for by said officer, to be prescribed by the Secretary of State, in the currency of the country of the applicant as nearly equivalent as is possible to $1.50 United States currency, and also of a certificate of good health issued by an officer of the United States Public Health and Marine-Hospital Service at the port of departure, he shall forward the original certificate to the applicant and at the same time the duplicate to the immigration officer at the port of arrival of the immigrant, for his information and guidance. No alien shall be admitted into the United States without a certificate provided for in this act, and any alien arriving without such certificate shall be returned to the country from whence he or she came, at the expense of the steamship or railroad company which brought him or her.

Mr. Chairman, under this bill all that the gentleman from Massachusetts has been contending for is provided. A rigid examination is made on the other side of the water by United States diplomatic or consular officers.

That is where the examination should be made and the restrictions take effect, and then if the applicants for immigration make any false statements, or if they settle in any city or town having a population consisting of over 30 per cent of foreign-born residents they can be deported for making such false statements or settling in places from which they have been restricted. The gentleman states that he was not desirous of simply keeping out a few thousand indesirable aliens, but he wanted to cut this great influx of immigration in two. Let him help me pass this measure, and if it becomes a law I will guarantee that he will see a cut of at least 75 per cent.

Mr. STEPHENS of Texas. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, on yesterday the gentleman from Iowa [Mr. LACEY] made a statement which I think if allowed to stand in the RECORD as it now reads will not only mislead the living, but will do grave injustice to the memory of the dead. On page 3496 of the RECORD the objectionable statement in question is found in the words of the gentleman from Iowa [Mr. LACEY], as follows:

He [Andrew Jackson] was almost as good a protectionist as Henry Clay.

To get the connection I will read the RECORD, as follows:

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. LACEY. Yes.

Mr. CLARK of Missouri. In the days of Henry Clay nearly all Congressmen wore homespun, didn't they?

Mr. LACEY. They did not pride themselves upon it.

Mr. CLARK of Missouri. Why didn't they?

Mr. LACEY. Because they did not have the American spirit Henry Clay had.

Mr. CLARK of Missouri. Was Henry Clay the only man in the United States at that time that had the American spirit?

Mr. LACEY. No; Andrew Jackson declared in favor of protection to American industries. He was almost as good a protectionist in his day as Henry Clay.

Mr. CLARK of Missouri. I know, but the gentleman undertakes to make the remark on the floor of the House that Henry Clay was a great natural curiosity because he wore homespun clothing, when everybody wore it.

Mr. LACEY. Why, Mr. Chairman, the gentleman who addresses me now has American clothing on. He also stands in American shoes.

Mr. CLARK of Missouri. Certainly I have, and any man who has any sense will buy an American suit if he can get the same quality cheaper than he can a foreign suit.

Now, Mr. Chairman, I have no desire in the world to get into a war of words with any gentleman on the floor of this House for the purpose of simply warring with words or otherwise; but I do think that when Members of Congress—and I do not mean to be severe in my criticism—discuss these great questions, knowing the confiding public will read them, they ought not to voice statements that are calculated to mislead the people. I myself may be guilty of that which I may be indirectly accusing others, but I am sure it is not intentional, and am satisfied that with my friend from Iowa [Mr. LACEY] it is the same way; but the fact is that the gentleman is charging, in effect, that Henry Clay was always a protectionist like the gentleman from Iowa [Mr. LACEY] is now; that Andrew Jackson was practically the same kind of a protectionist. These utterances are misleading, and I shall try and state the facts.

I believe the gentleman makes a limitation by using the words "almost as good a protectionist in his day as Henry Clay."

Now, Mr. Chairman, I deny that Henry Clay either lived or died the kind of protectionist that the gentleman from Iowa [Mr. LACEY] is now living. He was no "stand-patter," and he, in his later years, when, in substance, he saw that the American manufactories were no longer "infants," proceeded to join hands with the Democratic reformers, and finally he got down to where he used language in substance such as this—that he was ready to frame a tariff along the "revenue" lines of his Democratic opponents.

Mind you, now, I am not claiming that Mr. Clay at the beginning, say 1810, and along there when we framed a tariff for the purpose of excluding foreign imports to build up infant manufactures at home, to furnish our people with homemade clothing and other things, but I speak of Mr. Clay's latter-day record. In 1840, Mr. Chairman, he used this language:

No one, Mr. President, in the commencement of the protective policy ever supposed that it was to be perpetual.

The gentleman from Iowa wants it "perpetual." He has associated himself, as he had a right to do, with Henry Clay as his foster father in protection. But Mr. Clay says it was not intended to make perpetual protective tariffs. Mr. Clay continued:

We hoped and believed that temporary protection extended to our infant manufactures would bring them up and enable them to withstand competition with those of Europe. If the protective policy were entirely to cease in 1842 it would have existed twenty-six years from 1816, or eighteen from 1824, quite as long as at either of these periods its friends supposed might be necessary.

That he said sixty-six years ago. Again, in 1842, Mr. Clay said:

Let me not be misunderstood, and let me entreat that I may not be misrepresented. I am not advocating the revival of a high protective tariff. I am abiding by the principles of the compromise act.

No revival of a "high" protective tariff, said he.

Now, Mr. Chairman, in 1833, when Andrew Jackson was President, Mr. Clay in part said this:

Now, give us time—

Now, that sounds a little like the gentleman from Iowa in 1906. "Give us time" until our infant giants come to be major giants to control all the markets of the world, and then we will let down the tariff bars.

Mr. Clay said:

Now, give us time; cease all fluctuation and agitations for nine years, and the manufacturers in every branch will sustain themselves against foreign competition.

That was seventy-three years ago, Mr. Chairman, but still the gentleman from Iowa is a "stand-patter." He would have protective tariff nine hundred and ninety-nine years, and have the tariff wall nine hundred and ninety-nine feet high.

Away back in the early framing of our tariff laws, in 1810, almost at the beginning, Mr. Clay used language that reads thus:

But it is important to diminish our imports, to furnish ourselves with clothing made by our own industry, and to cease to be dependent for the very coats we wear upon foreign and perhaps inimical country. The nation that imports its clothing from abroad is but little less dependent than if it imported its bread.

Mr. Chairman, in 1810 our manufactories were "infants" if they ever were. But compare the tariff rates then with those of 1906—a mouse to a white elephant gives you a fair comparison.

The manufacturers were not to be always on infantile legs, and did not expect them to continue to be so, so that in 1833 Mr. Clay says that nine years of protection is all they need.

Once having had a good taste of protection, the manufacturers contended for more and "perpetual" protection at that, which Mr. Clay says was not contemplated.

Why, you let the manufacturers come in and make a part of one of our tariff bills, I think it was the McKinley bill. Senator MCCREARY told me himself that the manufacturers came

into the committee room, and he saw the handwriting of the manufacturers where they wrote into the face of the McKinley bill some of the rates of that measure.

This was charged upon the floor of this House by the lamented and gifted son of West Virginia, Mr. William L. Wilson. It was not denied by anyone. Go read Mr. Wilson's speech and you will find I quote him correctly in substance.

In 1833 Mr. Clay, in urging the "compromise tariff" in lieu of the "tariff of abominations" of 1828—made by the wise men and manufacturers, and with the making of which Mr. Clay had nothing to do, because he was then Secretary of State, Mr. Clay said:

I am anxious to find out some principle of mutual accommodation to satisfy, as far as practicable, both parties; to increase the stability of our legislation; and at some distant day—but not too distant, when we can take into view the magnitude of the interests which are involved—to bring down the rate of duties to that revenue standard for which our opponents have so long contended.

Yes; Jackson was a good revenue reformer; so was Henry Clay. Neither was a "stand-patter;" and I stand here to-day to remind my friend from Iowa and other "stand-patters" that they do violence when they refer to Henry Clay and claim he clung to anything like stand-pat protection or held any tax rate as sacred.

Mr. LACEY. When Henry Clay and the other gentleman figured with him on the immediate effect of the compromise act of 1833, with an annual reduction of the tariff down to the revenue point, which had to run to 1837, does the gentleman remember what happened in 1837?

Mr. GAINES of Tennessee. Oh, now, you want to go off on the question of finance and State-bank issues and panics. I want to discuss this one thing—tariff and Henry Clay and Andrew Jackson. If you want to discuss panics or finance, I will go back into the miserable time when the McKinley tariff produced a deficit in 1893 or 1894 and after the Harrison Administration had gone out and the Cleveland Administration had come in the Cleveland Administration on account of this deficit which it found had to issue bonds. I have discussed that question here for nine years, until I have grown gray and feel that I have seriously taxed the patience of the House.

Mr. LACEY. I was going to ask the gentleman if it was not true that the fruits of that Clay compromise, which took away protection, resulted in the panic of 1837 and the worst ruin this country ever saw prior to the Democratic panic of 1894?

Mr. GAINES of Tennessee. Why didn't you go into history yesterday and prove that, instead of simply stating it as you do now in the House? You will notice that on these questions of such importance I do not simply get up—and I say it respectfully to my friend—I do not simply get up and say so and so and leave it with my own unsupported statement, but I go and get the records and read the proof to the House. There are none so deaf as those who will not listen when you are giving them what Paddy gave the drum, to wit, the truth. There is none so blind as an Iowa stand-patter. [Laughter.] They will not see the truth even if neighbor Governor Cummins states and restates it.

Let me go a little further. Here, again, is what Mr. Clay said:

If there is any truth in political economy, it can not be that result will agree with the prediction, for we are instructed by our experience that the consumption of any article is in proportion to the reduction of its price, and that, in general, it may be taken as a rule that the duty upon an article forms a part of its price.

Now, I see my friend from Iowa is not listening again. [Laughter.] Here I find Clay totally disagreeing with my distinguished friend from Iowa. I will read that clause again:

And that, in general, it may be taken as a rule that the duty upon an article forms a part of its price.

Senator Sherman and Mr. Reed, our late Speaker, said the same thing.

Now, in the nine years I have been hearing my distinguished friend from Iowa hold this House spellbound in defending trust-making tariffs he never made any such statement as that, and you might wait nine hundred and ninety-nine years and the gentleman never would agree that the tariff tax became a part of the price of an article.

So, gentlemen, I have read a lot of utterances here from Henry Clay, who, in his early days in the jungles of dear old Kentucky, was glad to wear any kind of clothes that he could get, a condition that, I dare say, my distinguished Iowa friend never found himself in at any time. I dare say he always had whatever he wanted. I hope he always will; but sooner or later Henry Clay saw, and this is the point I make, that manufacturers were not always infants, always needing mammies to put pap in their lips. He saw that manufacturers from 1810 to 1833, about twenty-three years, had risen to a point where they only needed nine years' more protection for the infants to stand alone. And yet here is my dear Iowa friend, who, sooner or later, will be gathered to his fathers, wanting, in 1906, to stand by these giants, to help up the same giants that stood by Henry Clay in their majestic strength sixty years ago.

Now, my friend, who is familiar with these facts, had forgotten them yesterday, and I wanted then to correct him, but I would not interrupt my friend from Mississippi [Mr. WILLIAMS], who was making his usual magnificent defense of a revenue tariff, keeping up a good Democratic contribution to the RECORD, to go alongside of the bad reading (from our standpoint) of the gentleman's good speech (from his standpoint), and so I have deferred it until to-day to reply to the gentleman from Iowa.

So now we have Henry Clay coming to where he is almost as good a tariff Democrat as Andrew Jackson. I insist neither was a "stand-patter."

Just a word, in passing, on Jackson getting the Government out of debt. In 1832 he said to Congress:

I can not too cordially congratulate Congress and my fellow-citizens on the near approach of that memorable and happy event—the extinction of the public debt of this great and free nation. Faithful to the wise and patriotic policy marked out by the legislation of the country for this object, the present Administration has devoted to it all the means which a flourishing commerce has supplied and a prudent economy preserved for the public Treasury.

Now, let us see what President Andrew Jackson said in his "farewell address" to his country. After he had gone through the great struggle with Nick Biddle and his corrupting monopoly, and crushed both, what else did he do? He approved a great number of tariff-reform laws. He reduced the tariff. What else? He crushed every thing else that undertook to "run" Congress, defy the law, and outrage the people of this country.

Jackson was a great private citizen, an illustrious soldier, a great, clean, and upright and fearless President, so much so that even the gentleman from Iowa [Mr. LACEY] alludes to him with pride and pleasure, as we all do. His experience with tariff makers and monopolists for eight years had reimpressed him with the evils that flow from such sources, and when he came to lay down his high trust he wrote a farewell address, among other things commending the Farewell Address of George Washington, which I may say here you did not think enough of the other day—Washington's Birthday—to have read. I was up in Connecticut making a speech to the Sons of the American Revolution that day, and they asked me, having seen in the papers the action of the House, what in the world the House meant by not reading Washington's Farewell Address. I told them I wasn't allowed to know. [Laughter.]

Now, this illustrious President, Andrew Jackson, in his farewell address, speaks of the duties of the citizen and lawmaker thus:

In the legislation of Congress, also, and in every measure of the General Government, justice to every portion of the United States should be faithfully observed.

No free government can stand without virtue in the people and a lofty spirit of patriotism, and if the sordid feelings of mere selfishness shall usurp the place which ought to be filled by public spirit the legislation of Congress will soon be converted into a scramble for personal and sectional advantages.

Under our free institutions the citizens of every quarter of our country are capable of attaining a high degree of prosperity and happiness without seeking to profit themselves at the expense of others; and every such attempt must in the end fail to succeed, for the people in every part of the United States are too enlightened not to understand their own rights and interests and to detect and defeat every effort to gain undue advantages over them; and when such designs are discovered it naturally provokes resentments which can not always be easily allayed.

Justice—full and ample justice—to every portion of the United States should be the ruling principle of every freeman, and should guide the deliberations of every public body, whether it be State or national.

Mr. Chairman, these are wise and lofty sentiments that we should live up to to-day.

Again, he spoke of unjust tariffs in part thus:

There is perhaps no one of the powers conferred on the Federal Government so liable to abuse as the taxing power.

The most productive and convenient sources of revenue were necessarily given to it, that it might be able to perform the important duties imposed upon it; and the taxes which it lays upon commerce being concealed from the real payer in the price of the article, they do not so readily attract the attention of the people as smaller sums demanded from them directly by the taxgatherer—

He says the tariff tax is "concealed" from the "real payer." How? "In the price of the article." But the gentleman from Iowa will deny that; yet Clay also admitted, in effect, this as a fact—

But the tax imposed on goods enhances by so much the price of the commodity to the consumer—

Mr. Chairman, the gentleman will dispute that—

and as many of these duties are imposed on articles of necessity which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets.

Congress has no right under the Constitution to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government; and if they raise more than is necessary for such purposes, it is an abuse of the power of taxation, and unjust and oppressive.

It may indeed happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid.

When, however, this is ascertained, it is easy to reduce them, and in such a case it is unquestionably the duty of the Government to reduce them, for no circumstances can justify it in assuming a power not given to it by the Constitution nor in taking away the money of the people when it is not needed for the legitimate wants of the Government.

Mr. Chairman, the gentleman from Iowa says: "Touch not, handle not, 'reduce' not a single tariff rate. Stand pat; these rates are sacred." Neither Jackson nor Clay ever uttered a "stand-pat" sentiment.

Continuing, Andrew Jackson further said:

The result of this decision has been felt in the rapid extinguishment of the public debt and the large accumulation of a surplus in the Treasury, notwithstanding the tariff was reduced and is now very far below the amount originally contemplated by its advocates.

But, rely upon it, the design to collect an extravagant revenue and to burden you with taxes beyond the economical wants of the Government is not yet abandoned. The various interests which have combined together to impose a heavy tariff and to produce an overflowing Treasury are too strong and have too much at stake to surrender the contest.

The corporations and wealthy individuals who are engaged in large manufacturing establishments desire a high tariff to increase their gains.

Designing politicians will support it to conciliate their favor and to obtain the means of profuse expenditure for the purpose of purchasing influence in other quarters; and since the people have decided that the Federal Government can not be permitted to employ its income in internal improvements, efforts will be made to seduce and mislead the citizens of the several States by holding out to them the deceitful prospect of benefits to be derived from a surplus revenue collected by the General Government and annually divided among the States; and if, encouraged by these fallacious hopes, the States should disregard the principles of economy which ought to characterize every republican government, and should indulge in lavish expenditures exceeding their resources, they will before long find themselves oppressed with debts they are unable to pay, and the temptation will become irresistible to support a high tariff in order to obtain a surplus for distribution.

[Applause.]

Mr. Chairman, Jackson warned his countrymen against "corporations and wealthy individuals engaged in large manufacturing establishments" and "high tariffs and designing politicians." Was he a false prophet?

I continue to read Jackson's address:

Do not allow yourself, my fellow-citizens, to be misled on this subject. The Federal Government can not collect a surplus for such purposes without violating the principles of the Constitution and assuming powers which have not been granted.

It is, moreover, a system of injustice, and if persisted in will inevitably lead to corruption, and must end in ruin.

The surplus revenue will be drawn from the pockets of the people—from the farmer, the mechanic, and the laboring classes of society; but who will receive it when distributed among the States, where it is to be disposed of by leading State politicians, who have friends to favor and political partisans to gratify?

It will certainly not be returned to those who paid it and who have most need of it, and are honestly entitled to it—

He speaks, Mr. Chairman, of the "safe rule"—

There is but one safe rule, and that is to confine the General Government rigidly within the sphere of its appropriate duties. It has no power to raise a revenue or impose taxes except for purposes enumerated in the Constitution, and if its income is found to exceed these wants it should be forthwith reduced and the burden of the people so far lightened.

In concluding his address Jackson said:

In presenting to you, my fellow-citizens, these parting counsels, I have brought before you the leading principles upon which I endeavored to administer the Government in the high office with which you twice honored me.

Knowing that the path of freedom is continually beset by enemies who often assume the disguise of friends, I have devoted the last hours of my public life to warn you of the dangers.

The progress of the United States under our free and happy institutions has surpassed the most sanguine hopes of the founders of the Republic.

Our growth has been rapid beyond all former examples in numbers, in wealth, in knowledge, and all the useful arts which contribute to the comforts and convenience of man, and from the earliest ages of history to the present day there never have been 13,000,000 of people associated in one political body who enjoyed so much freedom and happiness as the people of these United States.

You have no longer any cause to fear danger from abroad; your strength and power are well known throughout the civilized world, as well as the high and gallant bearing of your sons.

It is from within, among yourselves—from cupidity, from corruption, from disappointed ambition and inordinate thirst for power—that factions will be formed and liberty endangered.

It is against such designs, whatever disguise the actors may assume, that you have especially to guard yourselves.

You have the highest of human trusts committed to your care. Providence has showered on this favored land blessings without number, and has chosen you as the guardians of freedom to preserve it for the benefit of the human race.

May He who holds in His hands the destinies of nations make you worthy of the favors he has bestowed and enable you with pure hearts and pure hands and sleepless vigilance to guard and defend to the end of time the great charge He has committed to your keeping.

My own race is nearly run; advanced age and failing health warn me that before long I must pass beyond the reach of human events and cease to feel the vicissitudes of human affairs.

I thank God that my life has been spent in a land of liberty and that He has given me a heart to love my country with the affection of a son. And filled with gratitude for your constant and unwavering kindness, I bid you a last and affectionate farewell.

ANDREW JACKSON.

[Loud applause on the Democratic side.]

Mr. SHERMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CURRIER, 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. 15331—the Indian appropriation bill—and had come to no resolution thereon.

THE LATE BENJAMIN F. MARSH AND JOHN M. PINCKNEY.

Mr. McKINNEY. Mr. Speaker, I ask unanimous consent for the present consideration of an order fixing a day for memorial addresses on the life, character, and services of the late Hon. BENJAMIN F. MARSH, of Illinois.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to add the name of the late Hon. JOHN M. PINCKNEY, of Texas, to the resolution offered by the gentleman from Illinois. It will be perfectly satisfactory to have the addresses follow those on the late Representative MARSH.

The SPEAKER. That can be added to the order, if there be no objection.

There was no objection.

The Clerk read as follows:

Ordered, That a session of the House be held on Sunday, April 15, 1906, and that the day be set apart for addresses on the lives, characters, and public services of Hon. BENJAMIN F. MARSH, late a Member of the House of Representatives from the State of Illinois, and Hon. JOHN M. PINCKNEY, late a Representative from the State of Texas.

The SPEAKER. Is there objection to the present consideration of the order which the Clerk has just reported? [After a pause.] The Chair hears none. The question is on agreeing to the order.

The question was taken; and the order was agreed to.

PURE-FOOD BILL.

Mr. MANN. Mr. Speaker, I filed to-day from the Committee on Interstate and Foreign Commerce a report on the bill (S. 88), known as the pure-food bill. I ask unanimous consent that the minority have until a week from to-morrow to file its views.

Mr. BARTLETT. That is to include to-morrow week, the whole of the day?

Mr. MANN. A week from to-morrow. Of course that would include the whole of the day.

SUPPLEMENTAL REPORT ON BILL FOR RELIEF OF P. S. CORBETT.

Mr. MILLER. Mr. Speaker, I desire to ask unanimous consent as chairman of the Committee on Claims to make a supplemental report in connection with the bill S. 1894. There was left out of the report as originally made by the committee some important matter which should have gone in the report for the information of the House.

Mr. WILLIAMS. To what bill does this apply?

Mr. MILLER. To a bill for the relief of P. S. Corbett. It is a Senate bill which has passed the Senate.

Mr. WILLIAMS. I have no objection.

There was no objection.

DAM ACROSS CHOCTAWHATCHEE RIVER.

Mr. CLAYTON. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the bill H. R. 14808.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14808) authorizing the Choctawhatchee Power Company to erect a dam in Dale County, Ala.

Be it enacted, etc., That the Choctawhatchee Power Company, its successors and assigns, be, and is hereby, authorized to erect, build, have, and maintain a steel and concrete dam, or dam of other material, on the Choctawhatchee River at a point above the Atlantic Coast Line Railroad bridge near Newton, on said river and in Dale County, Ala.: *Provided*, That the plans of said dam shall be submitted to and be approved by the Chief of Engineers and the Secretary of War before construction is commenced; and the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications in the construction of said dam as he may deem advisable in the interests of navigation: *Provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, or over said dam without unreasonable delay or hindrance and without toll or charges; and suitable fishways, to be approved by the United States Fish Commission, shall be constructed and maintained on said dam.

SEC. 2. That this act shall be null and void unless the dam herein authorized is commenced within one year and completed within three years from the date hereof.

SEC. 3. That the right to amend or repeal this act is hereby expressly reserved.

Mr. SHERMAN. Mr. Speaker, reserving the right to object, I desire to inquire if the gentleman will inform the House how the word "steel" and how the word "dam" is spelled in the bill?

Mr. CLAYTON. They are spelled in the usual proper way. When a bill is as clean as this the word "steel" is spelled correctly, and when the bill is so honestly and clearly drawn the word "dam" is spelled properly.

Mr. SHERMAN. What is proper under those circumstances?

Mr. CLAYTON. The spelling is in accordance with the rules of good English. "Dam" is spelled without an "n."

Mr. SHERMAN. I wanted to know what was the rule for good English in the gentleman's country.

Mr. CLAYTON. The word "steel" is always spelled with the double "e" in a clean bill like this.

Mr. PAYNE. Mr. Speaker, I have not any interest in the orthography of the bill, but I would like to inquire whether the Government has spent any money on this river where this dam is located?

Mr. CLAYTON. Not one cent. This dam is to be constructed on this river at a point where it is not navigable. It is above a railroad bridge and never will be navigable at the point where it is proposed to erect this dam, and the War Department has approved the bill. I hold here in my hand the report approving it and it is the desire of the citizens of that neighborhood to utilize this power that is now going to waste.

Mr. PAYNE. On the statement of the gentleman I think I am in favor of the bill.

Mr. CLAYTON. I am glad the gentleman is. It is on the Choctaw-hatchee River and not the Chocta-whatchee, as the Clerk insists on calling it. If he was acquainted with Indian nomenclature I suppose he would know the difference between Choctaw-hatchee and Chocta-whatchee.

Mr. Speaker, I ask that the bill be put upon its passage.

The SPEAKER. Is there objection?

There was no objection.

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

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENROLLED BILLS 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 bills:

H. R. 648. An act granting a pension to Charles Falbisaner;
H. R. 2108. An act granting a pension to Mattie Settlemire;
H. R. 3250. An act granting a pension to Harrison White;
H. R. 3502. An act granting a pension to Morris Osborn;
H. R. 3983. An act granting a pension to Blanche Douglass;
H. R. 4826. An act granting a pension to Leola V. Franks;
H. R. 5711. An act granting a pension to Richard H. Kelly;
H. R. 6076. An act granting a pension to Anna M. Case;
H. R. 6400. An act granting a pension to Harry W. Omo;
H. R. 6489. An act granting a pension to Mary E. Scott;
H. R. 6613. An act granting a pension to Thomas J. Stevens;
H. R. 6859. An act granting a pension to Eva B. Koch;
H. R. 7240. An act granting a pension to Glawvina A. Pinnell;
H. R. 7636. An act granting a pension to John J. Meeler;
H. R. 9253. An act granting a pension to Vollie A. McMillen;
H. R. 9530. An act granting a pension to Catherine B. Casey;
H. R. 10457. An act granting a pension to Lizzie Bremmer;
H. R. 10459. An act granting a pension to Alta M. Westenhaver;
H. R. 10476. An act granting a pension to Charles T. Hesler;
H. R. 10483. An act granting a pension to James Galit;
H. R. 10611. An act granting a pension to John J. Brewer;
H. R. 10967. An act granting a pension to George Larson;
H. R. 11051. An act granting a pension to Henry T. McDowell;
H. R. 11630. An act granting a pension to Harriet E. St. John;
H. R. 11846. An act granting a pension to Clara M. Thompson;
H. R. 12285. An act granting a pension to Mary C. Kirkland;
H. R. 12297. An act granting a pension to Estelle Kuhn;
H. R. 524. An act granting an increase of pension to Sylvenus A. Fay;
H. R. 650. An act granting an increase of pension to Felix G. Stidger;
H. R. 1032. An act granting an increase of pension to Seth Phillips;
H. R. 1043. An act granting an increase of pension to Horace Hounsom;
H. R. 1200. An act granting an increase of pension to John G. Parker;
H. R. 1287. An act granting an increase of pension to John D. Moore;
H. R. 1359. An act granting an increase of pension to Henry M. Robinson;
H. R. 1483. An act granting an increase of pension to Josephine E. Quentin;
H. R. 1484. An act granting an increase of pension to John L. Lovell;
H. R. 1485. An act granting an increase of pension to Susan J. Williams;
H. R. 1585. An act granting an increase of pension to George N. Dutcher;
H. R. 1658. An act granting an increase of pension to George M. Drake;
H. R. 1859. An act granting an increase of pension to George T. B. Carr;
H. R. 1889. An act granting an increase of pension to William M. Shultz;
H. R. 1902. An act granting an increase of pension to Gilbert Ford;
H. R. 1909. An act granting an increase of pension to Alexander Miller;
H. R. 1975. An act granting an increase of pension to William House;
H. R. 1978. An act granting an increase of pension to Harry C. Thorne;
H. R. 1979. An act granting an increase of pension to Amanda L. Hill;
H. R. 2048. An act granting an increase of pension to Joseph J. Cooper;
H. R. 2054. An act granting an increase of pension to Ralph A. Adams;
H. R. 2059. An act granting an increase of pension to Jerome Washburn;
H. R. 2114. An act granting an increase of pension to Benjamin F. Bibb;
H. R. 2116. An act granting an increase of pension to Daniel Hays;
H. R. 2156. An act granting an increase of pension to Rachel E. Ware;
H. R. 2174. An act granting an increase of pension to Nathaniel Buchanan;
H. R. 2204. An act granting an increase of pension to Dexter E. W. Stone;
H. R. 2306. An act granting an increase of pension to James W. Stell;
H. R. 2307. An act granting an increase of pension to Joseph Jones Martin;
H. R. 2478. An act granting an increase of pension to Asa M. Foote;
H. R. 2595. An act granting an increase of pension to Peter D. Sutton;
H. R. 2703. An act granting an increase of pension to Stephen Weeks;
H. R. 2709. An act granting an increase of pension to Julius D. Rogers;
H. R. 2762. An act granting an increase of pension to William Chandler;
H. R. 2823. An act granting an increase of pension to Orton D. Ford;
H. R. 2849. An act granting an increase of pension to Jesse Harrison;
H. R. 2949. An act granting an increase of pension to George W. Adamson;
H. R. 2954. An act granting an increase of pension to Chauncey P. Dean;
H. R. 3193. An act granting an increase of pension to James R. Todd;
H. R. 3220. An act granting an increase of pension to Sarah Johnson;
H. R. 3230. An act granting an increase of pension to James H. Beulen;
H. R. 3315. An act granting an increase of pension to Lewis L. Daugherty;
H. R. 3342. An act granting an increase of pension to Albin L. Ingram;
H. R. 3403. An act granting an increase of pension to George A Baker;
H. R. 3425. An act granting an increase of pension to Warren A. Blye;
H. R. 3483. An act granting an increase of pension to Lemuel P. Williams;
H. R. 3500. An act granting an increase of pension to William M. Martin;

H. R. 3544. An act granting an increase of pension to Josiah M. Grier;
H. R. 3552. An act granting an increase of pension to David F. McDonald;
H. R. 3570. An act granting an increase of pension to Susan Whorton;
H. R. 3571. An act granting an increase of pension to Eber Watson;
H. R. 3679. An act granting an increase of pension to Albert M. Hunter;
H. R. 3966. An act granting an increase of pension to Samuel Jester;
H. R. 3973. An act granting an increase of pension to Isaac P. Knight;
H. R. 4179. An act granting an increase of pension to Owen Donohoe;
H. R. 4192. An act granting an increase of pension to John C. Cavanaugh, alias John Carpenter;
H. R. 4202. An act granting an increase of pension to John C. Umstead;
H. R. 4206. An act granting an increase of pension to Isaac Henry Ober;
H. R. 4221. An act granting an increase of pension to William Foat;
H. R. 4246. An act granting an increase of pension to George D. Street;
H. R. 4685. An act granting an increase of pension to Jacob Rich;
H. R. 4741. An act granting an increase of pension to Stephen Dickerson;
H. R. 4751. An act granting an increase of pension to Joseph J. Sparling;
H. R. 4764. An act granting an increase of pension to Ahijah Brown;
H. R. 4878. An act granting an increase of pension to Isaac H. Witherwax;
H. R. 4886. An act granting an increase of pension to Marquis De Lafayette Burket;
H. R. 4957. An act granting an increase of pension to Elijah J. Snodgrass;
H. R. 4962. An act granting an increase of pension to William J. Sturgis;
H. R. 5028. An act granting an increase of pension to Samuel P. Carll;
H. R. 5163. An act granting an increase of pension to William U. Mallorie;
H. R. 5186. An act granting an increase of pension to Charles W. Fulton;
H. R. 5212. An act granting an increase of pension to Giles Q. Slocum;
H. R. 5605. An act granting an increase of pension to James S. Pelley;
H. R. 5640. An act granting an increase of pension to Abraham Mathews;
H. R. 5647. An act granting an increase of pension to Peter Wetterich;
H. R. 5656. An act granting an increase of pension to Darius H. Randall;
H. R. 5658. An act granting an increase of pension to Joseph Nichols;
H. R. 5692. An act granting an increase of pension to Henry G. Gardner;
H. R. 5708. An act granting an increase of pension to Thomas T. Fallon;
H. R. 5753. An act granting an increase of pension to Sallie H. Murphy;
H. R. 5830. An act granting an increase of pension to Sylvenus Hardy;
H. R. 5855. An act granting an increase of pension to Francis L. Brown;
H. R. 5909. An act granting an increase of pension to William H. Bynon;
H. R. 5938. An act granting an increase of pension to Edward J. McClaskey;
H. R. 5957. An act granting an increase of pension to Henry J. Steck;
H. R. 6063. An act granting an increase of pension to Maria Dyer;
H. R. 6065. An act granting an increase of pension to Charles E. Crowe;
H. R. 6085. An act granting an increase of pension to Jacob C. Rardin;
H. R. 6098. An act granting an increase of pension to Sadie A. Walker;
H. R. 6109. An act granting an increase of pension to William H. Ackert;
H. R. 6115. An act granting an increase of pension to Edward Sarlls;
H. R. 6117. An act granting an increase of pension to Elizabeth Dill;
H. R. 6133. An act granting an increase of pension to Mary Bagley;
H. R. 6137. An act granting an increase of pension to Henry S. Stowell;
H. R. 6178. An act granting an increase of pension to Carl W. Block;
H. R. 6226. An act granting an increase of pension to George Bruner;
H. R. 6340. An act granting an increase of pension to William D. Hatch;
H. R. 6398. An act granting an increase of pension to George W. Henry;
H. R. 6399. An act granting an increase of pension to David Hanna;
H. R. 6408. An act granting an increase of pension to Isaiah Queman;
H. R. 6494. An act granting an increase of pension to William Hughes;
H. R. 6516. An act granting an increase of pension to Joseph Bailey;
H. R. 6538. An act granting an increase of pension to George H. Rice;
H. R. 6565. An act granting an increase of pension to Francis M. Hatter;
H. R. 6813. An act granting an increase of pension to Emsley Kinsauls;
H. R. 6873. An act granting an increase of pension to Charles A. Phillips;
H. R. 6913. An act granting an increase of pension to John Gibbons;
H. R. 6941. An act granting an increase of pension to Alice Gearkee;
H. R. 6947. An act granting an increase of pension to Charles Washburn;
H. R. 6962. An act granting an increase of pension to Richard Phillips, jr.;
H. R. 6977. An act granting an increase of pension to Alfred S. Isaacs;
H. R. 6992. An act granting an increase of pension to Mary Duffy;
H. R. 6993. An act granting an increase of pension to John Sarvis;
H. R. 7001. An act granting an increase of pension to Andrew M. Dunham;
H. R. 7213. An act granting an increase of pension to Loucette E. Glavis;
H. R. 7222. An act granting an increase of pension to Levi J. Walton;
H. R. 7224. An act granting an increase of pension to Charles R. Ellis;
H. R. 7231. An act granting an increase of pension to Samuel O'Tool;
H. R. 7238. An act granting an increase of pension to William J. Campbell;
H. R. 7241. An act granting an increase of pension to Mary J. Allhands;
H. R. 7525. An act granting an increase of pension to William K. Spencer;
H. R. 7576. An act granting an increase of pension to George W. Brummett;
H. R. 7599. An act granting an increase of pension to William Holland;
H. R. 7600. An act granting an increase of pension to John Welch;
H. R. 7607. An act granting an increase of pension to Annie M. Smith;
H. R. 7628. An act granting an increase of pension to Lorenzo D. Stoker;
H. R. 7649. An act granting an increase of pension to William Leipnitz;
H. R. 7665. An act granting an increase of pension to Wesley J. Banks;
H. R. 7680. An act granting an increase of pension to William Shannon;
H. R. 7711. An act granting an increase of pension to Samuel Dunnan;
H. R. 7721. An act granting an increase of pension to Daniel V. Lowary;

H. R. 7750. An act granting an increase of pension to Anton Reidmuller;
H. R. 7838. An act granting an increase of pension to S. Harriet Morris;
H. R. 7941. An act granting an increase of pension to Carlon B. Osborn;
H. R. 7948. An act granting an increase of pension to James W. Reynolds, alias William Reynolds;
H. R. 7955. An act granting an increase of pension to Newton E. Terrill;
H. R. 7982. An act granting an increase of pension to Francis M. Kellogg;
H. R. 8043. An act granting an increase of pension to Lafayette Dodds;
H. R. 8044. An act granting an increase of pension to Angel Hausker;
H. R. 8061. An act granting an increase of pension to Heart Echard;
H. R. 8156. An act granting an increase of pension to Loren H. Howard;
H. R. 8169. An act granting an increase of pension to Eliza C. Jones;
H. R. 8187. An act granting an increase of pension to Silas G. Elliott;
H. R. 8213. An act granting an increase of pension to William Monteith;
H. R. 8216. An act granting an increase of pension to Philipp Cline, alias Francis Klein;
H. R. 8233. An act granting an increase of pension to Charles A. Power;
H. R. 8242. An act granting an increase of pension to John Alves;
H. R. 8251. An act granting an increase of pension to Abel S. Thompson;
H. R. 8253. An act granting an increase of pension to John Dolan;
H. R. 8288. An act granting an increase of pension to Jonathan Carr;
H. R. 8302. An act granting an increase of pension to Maurice Hayes;
H. R. 8317. An act granting an increase of pension to Eliza Thompson;
H. R. 8406. An act granting an increase of pension to Susan W. Selfridge;
H. R. 8494. An act granting an increase of pension to David A. Jones;
H. R. 8520. An act granting an increase of pension to Alfred F. White;
H. R. 8541. An act granting an increase of pension to Edward H. Pinney;
H. R. 8556. An act granting an increase of pension to Ethan Blodgett;
H. R. 8562. An act granting an increase of pension to William Ostermann;
H. R. 8596. An act granting an increase of pension to John C. Messerschmidt;
H. R. 8649. An act granting an increase of pension to William Bode;
H. R. 8663. An act granting an increase of pension to Frederick A. Amende;
H. R. 8664. An act granting an increase of pension to Henry Wascher;
H. R. 8714. An act granting an increase of pension to George Gibson;
H. R. 8794. An act granting an increase of pension to Stout Shearer;
H. R. 8846. An act granting an increase of pension to Thomas Todd;
H. R. 8847. An act granting an increase of pension to Philip B. Thompson;
H. R. 8918. An act granting an increase of pension to Andrew J. Hull, alias Spencer J. Hull;
H. R. 8926. An act granting an increase of pension to John Keller;
H. R. 8939. An act granting an increase of pension to Sarah A. Chauncey;
H. R. 8944. An act granting an increase of pension to William H. Lorance;
H. R. 8949. An act granting an increase of pension to Albert Richard Clark;
H. R. 9051. An act granting an increase of pension to Asher S. Bouden;
H. R. 9052. An act granting an increase of pension to Jonathan Wood;
H. R. 9059. An act granting an increase of pension to Ebenezer S. Edgerton;
H. R. 9065. An act granting an increase of pension to George G. Brail;
H. R. 9077. An act granting an increase of pension to Samuel Engle;
H. R. 9104. An act granting an increase of pension to Henry Brown;
H. R. 9122. An act granting an increase of pension to Philander Bennett;
H. R. 9142. An act granting an increase of pension to Herman A. Kimball;
H. R. 9146. An act granting an increase of pension to Francis A. Jones;
H. R. 9209. An act granting an increase of pension to Stephen D. Cohen;
H. R. 9234. An act granting an increase of pension to William A. McDonald;
H. R. 9237. An act granting an increase of pension to Jacob Dachrodt;
H. R. 9279. An act granting an increase of pension to Patrick Curley;
H. R. 9351. An act granting an increase of pension to Marie G. Bondham;
H. R. 9405. An act granting an increase of pension to John Burns;
H. R. 9416. An act granting an increase of pension to Jacob M. Longsworth;
H. R. 9567. An act granting an increase of pension to Henderson Rose;
H. R. 9579. An act granting an increase of pension to John G. Harris;
H. R. 9651. An act granting an increase of pension to Charles S. Word;
H. R. 9789. An act granting an increase of pension to Josiah Nicholson;
H. R. 9795. An act granting an increase of pension to Emory Edward Patch;
H. R. 9851. An act granting an increase of pension to William G. Richardson;
H. R. 9906. An act granting an increase of pension to Hinman Rhodes;
H. R. 9929. An act granting an increase of pension to Orlean De Witt;
H. R. 10007. An act granting an increase of pension to Appleton Gibson;
H. R. 10175. An act granting an increase of pension to Matthew A. Knight;
H. R. 10216. An act granting an increase of pension to Hugh Longstaff;
H. R. 10256. An act granting an increase of pension to Daniel D. Diehl;
H. R. 10258. An act granting an increase of pension to Elias Smith;
H. R. 10266. An act granting an increase of pension to William H. Morris;
H. R. 10269. An act granting an increase of pension to Andrew Ricketts;
H. R. 10297. An act granting an increase of pension to Nicholas Hercherberger;
H. R. 10307. An act granting an increase of pension to Milton A. Saeger;
H. R. 10308. An act granting an increase of pension to Dillon F. Acker;
H. R. 10323. An act granting an increase of pension to Patrick J. Donahue;
H. R. 10362. An act granting an increase of pension to William J. Chenoweth;
H. R. 10437. An act granting an increase of pension to Casper Yost;
H. R. 10439. An act granting an increase of pension to Mary Ann Gaunt;
H. R. 10477. An act granting an increase of pension to James B. Babcock;
H. R. 10521. An act granting an increase of pension to John F. Cluley;
H. R. 10522. An act granting an increase of pension to Charles H. Everitt;
H. R. 10551. An act granting an increase of pension to Ezekial Polk;
H. R. 10552. An act granting an increase of pension to James Wilkinson;
H. R. 10564. An act granting an increase of pension to Levi N. Bodley;

H. R. 10582. An act granting an increase of pension to Oscar B. Caswell;
H. R. 10588. An act granting an increase of pension to John H. Parker;
H. R. 10623. An act granting an increase of pension to Joseph L. Bostwick;
H. R. 10637. An act granting an increase of pension to Levi I. Shipman;
H. R. 10720. An act granting an increase of pension to Joseph F. Caldwell;
H. R. 10722. An act granting an increase of pension to William H. Flint;
H. R. 10741. An act granting an increase of pension to Thomas Clark;
H. R. 10807. An act granting an increase of pension to Jacob J. Long;
H. R. 10872. An act granting an increase of pension to Abram J. Hill;
H. R. 10883. An act granting an increase of pension to William Lee;
H. R. 10918. An act granting an increase of pension to Nathan W. Josselyn;
H. R. 10925. An act granting an increase of pension to Isaac C. Dennis;
H. R. 10954. An act granting an increase of pension to Letitia D. Watkins;
H. R. 10969. An act granting an increase of pension to Calaway G. Tucker;
H. R. 11061. An act granting an increase of pension to Reanna Pile;
H. R. 11096. An act granting an increase of pension to Sion B. Glazner;
H. R. 11101. An act granting an increase of pension to Andrew J. Baker;
H. R. 11105. An act granting an increase of pension to Michael Comer;
H. R. 11132. An act gratning an increase of pension to Horace E. Lydy;
H. R. 11144. An act granting an increase of pension to Lewis Pratt;
H. R. 11145. An act granting an increase of pension to Melvin J. Lee;
H. R. 11160. An act granting an increase of pension to Lemuel Herbert;
H. R. 11205. An act granting an increase of pension to Jeremiah Spice;
H. R. 11302. An act granting an increase of pension to John R. Cotton;
H. R. 11320. An act granting an increase of pension to Adam Cook;
H. R. 11343. An act granting an increase of pension to Enoch Bolen;
H. R. 11561. An act granting an increase of pension to Egbert P. Shetter;
H. R. 11620. An act granting an increase of pension to John J. Quimby;
H. R. 11653. An act granting an increase of pension to James R. Jordan;
H. R. 11658. An act granting an increase of pension to Gould E. Utter;
H. R. 11672. An act granting an increase of pension to Franklin J. Fellows;
H. R. 11724. An act granting an increase of pension to John A. Conley;
H. R. 11777. An act granting an increase of pension to Manson B. Scott;
H. R. 11808. An act granting an increase of pension to Webster Thomas;
H. R. 11842. An act granting an increase of pension to James M. Noble;
H. R. 11908. An act granting an increase of pension to Stephen V. Sturtevant;
H. R. 11916. An act granting an increase of pension to Edward L. Kimball;
H. R. 12008. An act granting an increase of pension to James D. Blanding;
H. R. 12016. An act granting an increase of pension to James Cassady;
H. R. 12027. An act granting an increase of pension to Nathan C. Bradley;
H. R. 12038. An act granting an increase of pension to Charles H. Burleigh;
H. R. 12054. An act granting an increase of pension to Martha E. Hallowell;
H. R. 12102. An act granting an increase of pension to Wilhelmina Healey;
H. R. 12156. An act granting an increase of pension to Edwin Billing;
H. R. 12290. An act granting an increase of pension to David L. Kretsinger;
H. R. 12384. An act granting an increase of pension to Andrew Dunning;
H. R. 12388. An act granting an increase of pension to Harvey T. Dunn;
H. R. 12506. An act granting an increase of pension to John T. Howell;
H. R. 12507. An act granting an increase of pension to George W. Collier;
H. R. 12510. An act granting an increase of pension to John McWhorter;
H. R. 12583. An act granting an increase of pension to Elizabeth L. H. Labatt;
H. R. 12640. An act granting an increase of pension to Augustus Walker;
H. R. 12713. An act granting an increase of pension to Augustus F. Bradbury;
H. R. 12754. An act granting an increase of pension to William B. Eversole;
H. R. 12837. An act granting an increase of pension to Martha Miller;
H. R. 12839. An act granting an increase of pension to Kathryn G. Hayt;
H. R. 12937. An act granting an increase of pension to James Hoover;
H. R. 13037. An act granting an increase of pension to Elizabeth Jane Kearney;
H. R. 13050. An act granting an increase of pension to William G. Crockett;
H. R. 13078. An act granting an increase of pension to Elizabeth F. Partin;
H. R. 13084. An act granting an increase of pension to William Dixon;
H. R. 13129. An act granting an increase of pension to Pinkney W. H. Lee;
H. R. 13141. An act granting an increase of pension to William A. Southworth;
H. R. 13457. An act granting an increase of pension to William M. McCay;
H. R. 13536. An act granting an increase of pension to Peter Cline;
H. R. 13579. An act granting an increase of pension to Amon Miller;
H. R. 13582. An act granting an increase of pension to James Sutherland;
H. R. 7961. An act for the relief of G. F. Tarbell;
H. R. 14344. An act for the relief of Col. Medad C. Martin;
H. R. 8493. An act granting an increase of pension to Sallie F. Sheffield;
H. R. 10080. An act to provide for sittings of the United States circuit and district courts in the southern district of Florida at the city of Miami, in said district;
H. R. 10697. An act providing for the issuance of patents for lands allotted to Indians under the Moses agreement of July 7, 1883;
H. R. 13542. An act authorizing the Secretary of the Interior to lease land in Stanley County, S. Dak., for a buffalo pasture;
H. R. 13673. An act to extend the provisions of the homestead laws to certain lands in the Yellowstone Forest Reserve;
H. R. 13674. An act to amend an act entitled "An act to amend an act entitled 'An act to supplement existing laws relating to the disposition of lands, etc., approved March 3, 1901,' approved June 30, 1902;"
H. R. 14590. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Cumberland River; and
H. R. 14589. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River.

SENATE BILLS 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. 4094. An act to amend section 4426 of the Revised Statutes of the United States, regulation of motor boats—to the Committee on the Merchant Marine and Fisheries.

S. 4348. An act for the relief of Augustus Trabing—to the Committee on War Claims.

S. 4129. An act to regulate enlistments and punishments in

the United States Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 3433. An act to amend an act entitled "An act to divide the judicial district of North Dakota," approved April 26, 1890—to the Committee on the Judiciary.

S. 4860. An act for the relief of Peter Fairley—to the Committee on Claims.

S. 4593. An act for the relief of Francis J. Cleary, a midshipman in the United States Navy—to the Committee on Naval Affairs.

BRIDGE ACROSS TUG FORK.

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 15263.

The SPEAKER. The gentleman from Kentucky [Mr. HOPKINS] asks unanimous consent for present consideration of a bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 15263) to authorize William Smith and associates to bridge the Tug Fork of the Big Sandy River, near Williamson, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky.

The SPEAKER. Is there objection?

There was no objection.

The bill and committee amendment were read at length.

The SPEAKER. Is there objection to the bill as amended?

Mr. WILLIAMS. Mr. Speaker, this bill is in the usual form.

Mr. HOPKINS. And is unanimously reported by the committee and indorsed by the War Department.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time; was accordingly read the third time, and passed.

On motion of Mr. HOPKINS, the vote by which the bill was passed was laid on the table.

VIEWS OF MINORITY.

Mr. GILLESPIE. Mr. Speaker, I rise to ask unanimous consent to file views of minority of the Committee on Banking and Currency on the bill (H. R. 8973) to amend section 5200, Revised Statutes of the United States, relating to national banks.

The SPEAKER. Is there objection?

There was no objection.

RAILROAD DISCRIMINATION.

The SPEAKER laid before the House a message from the President of the United States relative to joint resolution instructing the Interstate Commerce Commission to examine into the subject of railroad discrimination and monopolies in coal and oil and report on the same from time to time; which was read, and referred to the Committee on Interstate and Foreign Commerce.

[For message see Senate proceedings of March 7, 1906.]

REPRINT OF BILL.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for reprint of the bill H. R. 15331, known as the "Indian appropriation bill."

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERMAN. Mr. Speaker, I move that the House do now adjourn.

Accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney-General submitting an estimate of appropriation for pay of regular assistant attorneys, United States courts—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Duwamish River, Washington—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examinations of westerly side of Arthur Kill, New York and New Jersey—to the Committee on Rivers and Harbors, 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. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 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, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, reported the same with amendment, accompanied by a report (No. 2118); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEVIN, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15434) to regulate appeals in criminal prosecutions, reported the same with amendment, accompanied by a report (No. 2119); which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14591) to authorize the construction of a bridge across the Cumberland River in or near the city of Clarksville, State of Tennessee, reported the same with amendment, accompanied by a report (No. 2120); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 12323) to permit the State of Utah to select lands in any abandoned military reservation in Utah, reported the same with amendment, accompanied by a report (No. 2123); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TIRRELL, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 11029) to authorize the holding of a regular court of the district and circuit courts of the United States for the western district of Virginia in the city of Big Stone Gap, Va., reported the same without amendment, accompanied by a report (No. 2106); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, 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. MEYER, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 5651) for the relief of William H. Beall, reported the same without amendment, accompanied by a report (No. 2121); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1889) granting an increase of pension to Arthur Thompson, reported the same without amendment, accompanied by a report (No. 2122); 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. 1895) granting a pension to H. Edward Goetz, reported the same with amendment, accompanied by a report (No. 2124); which said bill and report were referred to the Private Calendar.

Mr. AMES, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2202) granting a pension to Ellen Harriman, reported the same with amendment, accompanied by a report (No. 2125); 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. 2697) granting an increase of pension to R. G. Childress, reported the same with amendment, accompanied by a report (No. 2126); 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. 4593) granting a pension to William C. Short, reported the same with amendment, accompanied by a report (No. 2127); 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. 5252) granting an increase of pension to Thomas Howard, reported the same with amendment, accompanied by a report (No. 2128); 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. 5485) granting a pension to Horace D. Mann, reported the same with amendment, accompanied by a report (No. 2129); 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. 5936) granting an increase of pension to Caroline Neilson, reported the same with amendment, accompanied by a report (No. 2130); 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. 7495) granting a pension to Susie M. Gerth, reported the same with amendment, accompanied by a report (No. 2131); 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. 7588) granting an increase of pension to Thomas Dowling, reported the same with amendment, accompanied by a report (No. 2132); 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. 9061) granting a pension to Charles R. Hill, reported the same with amendment, accompanied by a report (No. 2133); 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. 10448) granting an increase of pension to George M. Frazer, reported the same with amendment, accompanied by a report (No. 2134); 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. 10900) granting an increase of pension to Arthur R. Dreppard, reported the same with amendment, accompanied by a report (No. 2135); 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. 11691) granting an increase of pension to John Clark, reported the same with amendment, accompanied by a report (No. 2136); 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. 12651) granting a pension to Louis Grossman, reported the same with amendment, accompanied by a report (No. 2137); 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. 13079) granting an increase of pension to James H. Griffin, reported the same with amendment, accompanied by a report (No. 2138); 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. 13255) granting an increase of pension to W. J. Hayes, reported the same with amendment, accompanied by a report (No. 2139); 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. 14472) granting a pension to Thomas Cheek, reported the same with amendment, accompanied by a report (No. 2140); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL of Kansas, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14532) granting a pension to Augusta N. Manson, reported the same with amendment, accompanied by a report (No. 2141); 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. 14547) granting an increase of pension to Thomas Chapman, reported the same with amendment, accompanied by a report (No. 2142); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL of Kansas, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14655) granting a pension to Henry Gilham, reported the same with amendment, accompanied by a report (No. 2143); 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. 14718) granting an increase of pension to Joseph A. Jones, reported the same with amendment, accompanied by a report (No. 2144); 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. 14875) granting an increase of pension to Mary A. Witt, reported the same with amendment, accompanied by a report (No. 2145); 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. 14951) granting an increase of pension to James Nunan, reported the same with amendment, accompanied by a report (No. 2146); 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. 15110) granting an increase of pension to John Green, reported the same with amendment, accompanied by a report (No. 2147); 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. 15192) granting a pension to John J. Meredith, reported the same with amendment, accompanied by a report (No. 2148); 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. 15198) granting an increase of pension to Elizabeth J. Martin, reported the same with amendment, accompanied by a report (No. 2149); 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. 15276) granting an increase of pension to Wesley Smith, reported the same with amendment, accompanied by a report (No. 2150); 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. 15347) granting an increase of pension to John M. Love, reported the same with amendment, accompanied by a report (No. 2151); 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. 15382) granting an increase of pension to Mary C. Moore, reported the same with amendment, accompanied by a report (No. 2152); 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. 15870) granting a pension to Mary Palmer, reported the same with amendment, accompanied by a report (No. 2153); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL of Kansas, from the Committee on Pensions, to which was referred the bill of the House (H. R. 15893) granting an increase of pension to Volney P. Ludlow, reported the same with amendment, accompanied by a report (No. 2154); 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. 15940) granting a pension to James M. Carley, reported the same with amendment, accompanied by a report (No. 2155); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 15941) granting an increase of pension to Lydia A. Keller, reported the same with amendment, accompanied by a report (No. 2156); 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. 1273) granting an increase of pension to Eleanora A. Keeler, reported the same without amendment, accompanied by a report (No. 2157); 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. 2096) granting an increase of pension to Nathaniel R. Kent, reported the same without amendment, accompanied by a report (No. 2158); 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. 2142) granting an increase of pension to Adelle D. Irwin, reported the same without amendment, accompanied by a report (No. 2159); 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. 2735) granting a pension to Marcelina S. Groff, reported the same without amendment, accompanied by a report (No. 2160); 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. 2968) granting a pension to George W. Hale, reported the same without amendment, accompanied by a report (No. 2161); 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. 3029) granting an increase of pension to Delia A. Hooker, reported the same without amendment, accompanied by a report (No. 2162); 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. 3888) granting an increase of pension to Susan E. Israel, reported the same without amendment, accom-

panied by a report (No. 2163); 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. 4227) granting a pension to John H. McKenzie, reported the same without amendment, accompanied by a report (No. 2164); 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. 4595) granting an increase of pension to Amos McManus, reported the same without amendment, accompanied by a report (No. 2165); 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. GROSVENOR: A bill (H. R. 16306) to amend the act approved March 6, 1896, relating to the anchorage and movements of vessels in St. Marys River—to the Committee on Interstate and Foreign Commerce.

By Mr. WATKINS: A bill (H. R. 16307) authorizing the Secretary of the Interior to have a survey made of unsurveyed public lands in the State of Louisiana—to the Committee on the Public Lands.

By Mr. HAMILTON: A bill (H. R. 16308) for a reconnoissance and preliminary survey of a land route for a mail and pack trail, and to determine the feasibility of a railroad from the navigable waters of the Tanana River to the Seward Peninsula, in Alaska, and for other purposes—to the Committee on the Territories.

By Mr. GREGG: A bill (H. R. 16309) to establish a fish-hatching and fish-culture station in the county of Houston, State of Texas—to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of Maryland: A bill (H. R. 16310) to regulate the retirement of certain veterans of the civil war—to the Committee on Military Affairs.

By Mr. WILLIAMS: A bill (H. R. 16211) to incorporate the Industrial Educational League of the South—to the Committee on Education.

By Mr. COOPER of Pennsylvania: A bill (H. R. 16312) providing for the administration of the operations of the act of Congress approved June 17, 1902, known as the reclamation act—to the Committee on Irrigation or Arid Lands.

By Mr. PEARRE: A bill (H. R. 16313) to amend section 54 of chapter 106 of the act of the Thirty-eighth Congress entitled "An act to provide a national currency secured by pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June 3, 1864—to the Committee on Banking and Currency.

By Mr. MONDELL: A bill (H. R. 16314) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof—to the Committee on the Public Lands.

By Mr. WEBB: A resolution (H. Res. 358) referring to the Court of Claims the bill H. R. 16303—to the Committee on War Claims.

Also, a resolution (H. Res. 359) referring to the Court of Claims the bill H. R. 16302—to the Committee on War Claims.

By Mr. AIKEN: A resolution (H. Res. 360) providing for the printing of 10,000 copies of the Report on Trade with China and the Orient—to the Committee on Printing.

By Mr. BIRDSALL: A memorial of the legislature of the State of Iowa, recommending the enactment of the pure-food law—to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY: A memorial from the legislature of Iowa, recommending the enactment of the pure-food law—to the Committee on Interstate and Foreign Commerce.

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. ADAMS of Pennsylvania: A bill (H. R. 16315) to correct the military record of William R. Walsh—to the Committee on Military Affairs.

By Mr. BELL of Georgia: A bill (H. R. 16316) for the relief of the heirs of John B. Graham—to the Committee on Claims.

By Mr. BUTLER of Tennessee: A bill (H. R. 16317) granting an increase of pension to Newton Moore—to the Committee on Pensions.

By Mr. CALDER: A bill (H. R. 16318) for the relief of the heirs of those killed by the explosion at Fort Lafayette February 19, 1903—to the Committee on Claims.

By Mr. CALDERHEAD: A bill (H. R. 16319) granting an increase of pension to Orrin D. Nichols—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 16320) granting a pension to Esther M. Noah—to the Committee on Invalid Pensions.

By Mr. CONNER: A bill (H. R. 16321) granting an increase of pension to Alem B. Shipman—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 16322) granting an increase of pension to George C. Limpert—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 16323) granting a pension to Mary C. Finlay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16324) granting a pension to Jacob Goehring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16325) granting a pension to Desemer Mawdsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16326) granting an increase of pension to James M. Flynn—to the Committee on Pensions.

Also, a bill (H. R. 16327) granting an increase of pension to John Kuhn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16328) granting an increase of pension to Monroe J. Cook—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 16329) for the relief of Elias E. Barnes—to the Committee on Claims.

Mr. GAINES of West Virginia: A bill (H. R. 16330) granting a pension to Martin J. Helmick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16331) for the relief of the heirs of Samuel B. McClung—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 16332) granting a pension to Kate F. Hoffman—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 16333) granting a pension to Joseph H. Glover—to the Committee on Pensions.

Also, a bill (H. R. 16334) granting an increase of pension to Enos Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16335) granting an increase of pension to John A. Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16336) granting an increase of pension to Willis W. Dawson—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16337) granting a pension to Henry Richey—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 16338) for the relief of the estate of William B. Todd, deceased—to the Committee on the District of Columbia.

Also, a bill (H. R. 16339) granting an increase of pension to Mack Harris—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 16340) granting an increase of pension to William M. Harris—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 16341) granting a pension to Sarah J. Ridgeway—to the Committee on Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 16342) granting a pension to Matilda Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16343) granting an increase of pension to Francis D. Matheny—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 16344) granting an increase of pension to Jacob Meek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16345) granting a pension to A. F. Bunton—to the Committee on Pensions.

Also, a bill (H. R. 16346) granting an increase of pension to Amos W. Polly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16347) granting a pension to Jacob Bowersmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16348) granting a pension to Forest McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16349) granting an increase of pension to James Demick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16350) granting a pension to Day Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16351) granting a pension to Jeremiah Dotter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16352) granting an increase of pension to C. W. Bugbee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16353) granting a pension to Thomas B. Asher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16354) granting a pension to George G. Sherlock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16355) granting an increase of pension to Charles W. Pool—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16356) granting an increase of pension to Isaac Wyant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16357) granting an increase of pension to Harrison Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16358) granting an increase of pension to Martin V. B. Barron—to the Committee on Pensions.

Also, a bill (H. R. 16359) granting an increase of pension to Wyatt Botts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16360) granting an increase of pension to William Faulkner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16361) granting an increase of pension to Lewis W. Dennen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16362) granting an increase of pension to Green B. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16363) granting an increase of pension to Isaac Fickle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16364) to correct the military record of James E. Neely—to the Committee on Military Affairs.

Also, a bill (H. R. 16365) to correct the military record of John Bailey—to the Committee on Military Affairs.

By Mr. MAYNARD: A bill (H. R. 16366) for the relief of Mary Cornick—to the Committee on Claims.

By Mr. PARSONS: A bill (H. R. 16367) providing for the adjudication of the claim of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., by the Court of Claims—to the Committee on Claims.

By Mr. PAYNE: A bill (H. R. 16368) for the relief of Edward W. Clark, of Penn Yan, N. Y.—to the Committee on Military Affairs.

By Mr. REEDER: A bill (H. R. 16369) granting a pension to Joseph A. McElroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16370) granting an increase of pension to W. B. Fleming—to the Committee on Invalid Pensions.

By Mr. SCHNEEBELI: A bill (H. R. 16371) granting an increase of pension to Peter Eberts—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 16372) granting an increase of pension to Andrew Dorn—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 16373) granting pensions to honorably discharged soldiers who served in Captain Kemp's or Captain Brown's company, Department Troops of Monongahela Infantry—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 16374) for the relief of the estate of T. H. Goodloe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 16375) granting a pension to Julien D. Bond—to the Committee on Pensions.

By Mr. VAN WINKLE: A bill (H. R. 16376) granting an increase of pension to Joseph Muncher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16377) to correct the military record of George W. Spencer—to the Committee on Military Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 16378) to authorize John A. Ockerson to accept decorations tendered him by the Government of the French Republic, the King of Italy, the King of Sweden, the King of Belgium, the Emperor of Germany, and the Emperor of China—to the Committee on Foreign Affairs.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9909) granting an increase of pension to John A. Lennon—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13258) granting a pension to Nicodemo De Salle—Committee on Invalid Pension discharged, and referred to the Committee on Pensions.

A bill (H. R. 15675) granting an increase of pension to Harley Mowrey—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15907) granting an increase of pension to Louis De Laittre—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3474) for the relief of J. B. Chandler and D. B. Cox—Committee on Claims discharged, and referred to the Committee on War Claims.

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 Mr. ANDREWS: Petition of the Oragrande Times, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of the Japanese and Korean Exclusion League of San Francisco, Cal., against the Foster bill—to the Committee on Foreign Affairs.

By Mr. BARCHFELD: Petition of George C. Henry, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Mrs. C. F. Scott, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. BENNET of New York: Petitions of the New York A. C. Journal, the Seventh Regiment Gazette, the Building Trades Employment Association Bulletin, and the Nautical Gazette, et al., against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BIRDSALL: Petition of citizens of Iowa, against religious legislation—to the Committee on the District of Columbia.

Also, petition of the Press, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BROWN: Petition of Der Gefluegel-Zuechter, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BURKE of Pennsylvania: Petition of George C. Henry and Mrs. C. F. Scott, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. BURKE of South Dakota: Petition of citizens of South Dakota, against religious legislation—to the Committee on the District of Columbia.

By Mr. CALDER: Petition of the New York Lumber Trade Journal, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. CAMPBELL of Ohio: Petition of the National Association of Cement Users, for an appropriation for experiments by the United States Government—to the Committee on Appropriations.

By Mr. CURTIS: Petition of the Horton Headlight, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of citizens of Kansas, against bill H. R. 3022—to the Committee on the District of Columbia.

Also, petition of citizens of Kansas, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. DE ARMOND: Paper to accompany bill for relief of Sarah E. Hopkins—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of citizens of Ellenburg Center, N. Y., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. DRESSER: Petition of the Daily Journal, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DRISCOLL: Petition of Frank H. Hale and the National Grange, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. ESCH: Petition of citizens of Wisconsin, against bill H. R. 7076—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Wisconsin, against religious legislation—to the Committee on the District of Columbia.

By Mr. FLACK: Petition of residents of Ellenburg Center and Colton, N. Y., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. FLETCHER: Petition of the United Travelers of America, for amendment to the bankruptcy bill—to the Committee on the Judiciary.

By Mr. FOSTER of Indiana: Petition of the Star-Messenger, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. FULLER: Petition of citizens of Morris, Ill., for the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Chicago Medical Society, for the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Japanese and Korean Exclusion League, for present Chinese law—to the Committee on Foreign Affairs.

Also, petition of the Commercial Law League of America, for consular reform—to the Committee on Foreign Affairs.

By Mr. GARDNER of Massachusetts: Petition of James S. Steele et al., of Gloucester, Mass., and William H. Jordan, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. GILBERT of Indiana: Petition of the Journal-Gazette, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. GRAFF: Petition of Council No. 112, of the Commercial Travelers of America, for amendment to the bankruptcy law—to the Committee on the Judiciary.

Also, petition of merchants of Armington, Ill., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Petition of the Protective Tariff League, against any change in the tariff schedules—to the Committee on Ways and Means.

Also, petition of the Builders' Exchange League of Pittsburg, against the Gilbert anti-injunction law—to the Committee on the Judiciary.

Also, petition of citizens of Pittsburg, Pa., against religious legislation—to the Committee on the District of Columbia.

Also, petition of the State Federation of Pennsylvania Women, for forest reservation—to the Committee on Agriculture.

Also, petition of Thompson & Co., of Mount Jewett, Pa., against a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of the State Federation of Pennsylvania Women, for the Morris law—to the Committee on Agriculture.

Also, petition of the State Federation of Pennsylvania Women, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. GRANGER: Petition of Division No. 18, Ancient Order of Hibernians, of Providence, R. I., for a statue to Commodore Barry—to the Committee on the Library.

By Mr. HASKINS: Petition of Ottaquechee Grange, of Taftsville, Vt., and D. G. Spaulding et al., of Woodstock, Vt., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. HAUGEN: Petition of the Rockford Register, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HAYES: Petition of citizens of San Francisco, Cal., against passage of bill H. R. 12973—to the Committee on Foreign Affairs.

Also, petition of citizens of San Jose, Cal., for relief for certain Indians in Alaska—to the Committee on Indian Affairs.

By Mr. HEPBURN: Petitions of citizens of Clarinda, Page County, and Decatur, Iowa, against religious legislation—to the Committee on the District of Columbia.

Also, petition of citizens of Osceola, Iowa, against religious legislation—to the Committee on the District of Columbia.

By Mr. HOWELL of New Jersey: Petition of Frank C. Wright, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HOWELL of Utah: Petition of Parley P. Jensen, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HUBBARD: Petition of citizens of Iowa, against religious legislation—to the Committee on the District of Columbia.

By Mr. HUFF: Petition of George C. Henry, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Loyalty Council, No. 314, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Association of Mexican War Veterans of the State of Missouri, for increase of pensions—to the Committee on Pensions.

By Mr. KAHN: Petition of the Equal Suffrage League, for the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Fort Sutter National Bank, of Sacramento, Cal., for bill H. R. 8973—to the Committee on Banking and Currency.

Also, petition of F. N. Longer, for a White Mountain forest reserve—to the Committee on Agriculture.

Also, petition of the Fort Sutter National Bank, of Sacramento, Cal., against certain provisions of the bill for postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of Alexander Hamilton Council, No. 35, of San Francisco, Cal., Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of George D. Cooper, of San Francisco, Cal., for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Wilmerding-Loewe Company, for amendment of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Division No. 115, Order of Railway Conductors, for the Bates-Penrose bill—to the Committee on the Judiciary.

Also, petition of the Union Company, of San Francisco, Cal., against certain provisions of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of J. A. Parry, of San Francisco, Cal., relative to legislation for the tobacco interest—to the Committee on Ways and Means.

By Mr. KENNEDY of Nebraska: Paper to accompany bill for relief of John P. Wishart—to the Committee on Invalid Pensions.

By Mr. WILLIAM W. KITCHIN: Paper to accompany bill for relief of Louise Lindley—to the Committee on Invalid Pensions.

By Mr. KNAPP: Petition of citizens of Colton, N. Y., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. KNOWLAND: Petition of the Industrial News, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of S. Demorritah, of New York, for the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Edward J. Wheeler, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Ellenburg Center, N. Y., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. LONGWORTH: Petition of the Catholic Knights of America Journal and the Pythian Monitor, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. McCALL: Petition of citizens of Malden, Mass, for forest reservation in the White Mountains—to the Committee on Agriculture.

Also, petition of citizens of Massachusetts, against free distribution of seeds by the Government—to the Committee on Agriculture.

By Mr. MADDEN: Petition of the Farm Implement News, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. MINOR: Petition of citizens of Sturgeon Bay and Seymour, Wis., against religious legislation—to the Committee on the District of Columbia.

By Mr. MOUSER: 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. NEEDHAM: Petition of the Cypress (morning and daily), against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. NORRIS: Petition of citizens of Cambridge, Nebr., against religious legislation—to the Committee on the District of Columbia.

By Mr. OLCOTT: Petition of the Nautical Gazette, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of citizens of Glasco, N. Y., and Jacob Van Vechten, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of New York, for the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PALMER: Petition of the Hazleton Sentinel, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. PARSONS: Petition of the New York A. C. Journal, the Seventh Regiment Gazette, the Nautical Gazette, and the Building Trades Bulletin, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. RAINEY: Petition of citizens of Illinois, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the Observer, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. REEDER: Petition of the News, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. REYNOLDS: Petition of the Deutsche Wacht, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. RIVES: Petition of citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. RUPPERT: Petition of citizens of New York State, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the New York Athletic Club Journal, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SHARTEL: Petition of the Neosho Times, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SHERMAN: Paper to accompany bill for relief of Andrew Dorn—to the Committee on Invalid Pensions.

By Mr. SIBLEY: Petition of the Citizen, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of citizens of Warren County, Pa., against bill H. R. 10510—to the Committee on the District of Columbia.

Also, petition of ladies of Franklin, Pa., for a forest reserve—to the Committee on Agriculture.

By Mr. SIBLEY: Petition of the State Federation of Pennsylvania Women, to preserve Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. SOUTHARD: Petitions of the Exponent and the Fulton County Tribune, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. SPERRY: Petition concerning allowance for clerk hire to the Committee on Alcoholic Liquor Traffic—to the Committee on Accounts.

By Mr. STEPHENS of Texas: Petition of members of the Creek Indian tribe, against allotment of lands and dissolution of their tribal government—to the Committee on Indian Affairs.

By Mr. SULLOWAY: Petition of Scammel Grange, of Durham, N. H., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Scammel Grange, of Durham, N. H., for bill H. R. 180—to the Committee on Agriculture.

Also, petition of Scammel Grange, of Durham, N. H., for retention of the tax of 10 cents per pound on imitation butter—to the Committee on Agriculture.

Also, petition of Scammel Grange, of Durham, N. H., for bill H. R. 10099—to the Committee on Interstate and Foreign Commerce.

Also, petition of Scammel Grange, of Durham, N. H., for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Scammel Grange, of Durham, N. H., for bills H. R. 285 and 286—to the Committee on Agriculture.

Also, petition of Stephen J. Wentworth Camp, No. 14, Sons of Veterans, against bill H. R. 8131—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: Petition of the North Carolina Society, Daughters of the American Revolution, for an appropriation to preserve the monument and grounds at Moores Creek battlefield—to the Committee on the Library.

By Mr. TIRRELL: 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. TOWNSEND: Petition of the Tyler Publishing Company, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. VOLSTEAD: Petition of the Beardsley News, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. WEBB: Paper to accompany bill for relief of estate of John K. Wells—to the Committee on War Claims.

Also, paper to accompany bill for relief of estate of J. R. Crouse—to the Committee on War Claims.

SENATE.

THURSDAY, *March 8, 1906.*

The Senate met at 11 o'clock a. m.

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

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

MILEAGE TO ARMY OFFICERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting an amendment to the provisions of the mileage law as embodied in the Army appropriation bill, providing that hereafter annual expenses only not to exceed $4.50 per day and the cost of transportation when not furnished by the Quartermaster's Department shall be paid to the officers of the Army, etc.; which was referred to the Committee on Military Affairs, and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of papers, documents, etc., on the files of the Treasury Department which are not needed in the transaction of the public business and have no permanent value or historical interest; which, with the accompanying papers, was referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and ordered to be printed.

PETITION.

The VICE-PRESIDENT presented a petition of the Chamber of Commerce of Oklahoma City, Okla., praying for the enactment of legislation granting joint statehood to the Indian and Oklahoma Territories without restrictions as to capital location beyond 1908; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. GEARIN, from the Committee on Pensions, to whom was referred the bill (H. R. 4704) granting a pension to Alice Rourk, reported it without amendment, and submitted a report thereon.

Mr. GEARIN (for Mr. CARMACK), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2150) granting an increase of pension to William E. Smith;

A bill (H. R. 2151) granting an increase of pension to Lydia C. Wood;

A bill (H. R. 1888) granting a pension to William T. Scandlyn; and

A bill (H. R. 13976) granting an increase of pension to John R. Stalcup.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the bill (S. 4886) to simplify the issue of enrollments and licenses of vessels of the United States, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Commerce, to whom was referred the bill (S. 4925) to amend the act approved March 6, 1896, relating to the anchorage and movements of vessels in St. Marys River, reported it without amendment, and submitted a report thereon.

PUBLICATION OF COAL AND ISTHMIAN CANAL STATISTICS.

Mr. MORGAN. Mr. President, I move that the papers which I hold in my hand, and of which I will prepare a memorandum, be referred to the Committee on Printing, with instructions that the committee report a resolution for their printing for the use of the Senate. I make this motion under the instruction of the Committee on Interoceanic Canals. I will explain it in just a moment, so the Committee on Printing will understand what the Committee on Interoceanic Canals is trying to do.

In certain reports made to the Secretary of the Navy or the Chief of the Bureau of Equipment there have been, commencing back in 1886, as I now remember, and continuing down to date, chemical analyses and examinations of all the steaming coals in the world, their location, and their availability to commerce, and the ports that may be opened up toward the different coal mines. The committee thinks it is very important to lay before the Senate and Congress and before the coal miners in the United States these analyses, that they may see the value of their coal in respect of the commerce that is expected to be created by the opening of the isthmian canal.

In the same connection, and as a further part of the resolution, I will ask for the printing of a table showing the expenditures which have been made between certain dates in the construction of the canal for the purchase of material of every kind. Those dates are between February 1, 1905, and October 31, 1905, inclusive. This paper was handed in by Mr. Ross, who is the general purchasing agent for the canal. It contains a classified statement of every purchase that has been made after the time of advertising, the amount paid, and the contract and the lowest bidder in accordance with the specifications. It is an important paper, and I ask to refer it to the Committee on Printing, with the memorandum which I will furnish, which I have not at this moment time to do without delaying the Senate too long, for their guidance in coming to a conclusion as to whether these papers ought to be printed.

I now present the papers and ask their reference to the Committee on Printing, with a memorandum to be prepared under the instructions of the Committee on Interoceanic Canals when it is ready.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none. Without objection, the order will be made.

BILLS INTRODUCED.

Mr. DUBOIS introduced a bill (S. 4945) to enable the Department of Agriculture to conduct demonstration experiments for the purpose of eradicating pear blight in Idaho; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. ALGER introduced a bill (S. 4946) for the relief of certain naval officers and their legal representatives; which was