

By Mr. REYBURN: Paper to accompany bill for relief of Isaac Williams—to the Committee on Invalid Pensions.

Also, petition of the Lumberman's Exchange of Philadelphia, for legislation for the improvement of the American Merchant Marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. ROBERTS: Petition of the Lynn News, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. RUSSELL: Paper to accompany bill for relief of estate of C. C. Starnes—to the Committee on War Claims.

By Mr. SHEPPARD: Paper to accompany bill for relief of John Gregory—to the Committee on Invalid Pensions.

By Mr. STERLING: Paper to accompany bill for relief of Mary E. Johnson—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Paper to accompany bill for relief of George H. Field—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of the Ann Arbor Daily Argus, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. VAN WINKLE: Petition of the Bergen Republican Club, of Jersey City, for increased efficiency of the Artillery Corps of the Army—to the Committee on Military Affairs.

By Mr. ZENOR: Paper to accompany bill for relief of George W. Rothrock—to the Committee on Invalid Pensions.

## SENATE.

Monday, December 17, 1906.

Prayer by the Chaplain, Rev. Edward E. Hale.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### ALLOTMENT OF INDIAN LANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior relative to the enactment of legislation providing that section 13 of the act of April 26, 1906, shall not apply to lots within towns where the land is reserved from allotment and surveyed and platted under the direction of the Department of the Interior, as suggested by the United States Inspector for the Indian Territory, etc.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

### SALE OF LANDS IN THE CHOCTAW AND CHICKASAW NATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a memorial of the legislature of the Chickasaw Nation, approved by the governor of that nation September 21, 1906, in reference to the sale of segregated coal and asphalt lands in the Choctaw and Chickasaw nations; which, with the accompanying paper, was referred to the Committee on Indian Affairs, and ordered to be printed.

### ENROLLMENT OF INDIAN CHILDREN.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a memorial of the national legislature of the Chickasaw Nation, approved by the governor of that nation September 20, 1906, relative to the enrollment of children born to the Chickasaw and Choctaw freedmen subsequent to September 25, 1902, etc.; which, with the accompanying paper, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PURCHASES OF COAL.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting the report of the Chief of the Bureau of Equipment and the Paymaster-General of the Navy with respect to quantities of coal purchased for the use of that Department; which, with the accompanying papers, was ordered to lie on the table and be printed.

### EXPERIMENTS WITH CHOLERA VIRUS IN THE PHILIPPINES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in further response to the resolution of the 12th instant, a copy of a cablegram of the governor-general of the Philippine Islands giving further information relative to experiments with cholera virus upon prisoners in Bilibid Prison at Manila; which was referred to the Committee on the Philippines, and ordered to be printed.

### PAYMENT OF FEES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting a letter from the Commissioner of Navigation recommending a modification of section 1 of the act of June 19, 1886, authoriz-

ing the payment by the Government of fees for certificates of ownership and for recording bills of sale; which, with the accompanying paper, was referred to the Committee on Commerce, and ordered to be printed.

### FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of E. R. Cook, administrator of Jared R. Cook, deceased, *v. The United States*;

In the cause of the County Court of Jefferson County, W. Va., *v. The United States*;

In the cause of the Trustees of Union University of Murfreesboro, Tenn., *v. The United States*;

In the cause of A. Van De Vyver, bishop of Richmond, *v. The United States*;

In the cause of the Trustees of St. Paul's Free Church of Routts Hills, Va., *v. The United States*;

In the cause of Nathaniel F. Cheairs *v. The United States*;

In the cause of Kate Reaney Zeiss, administratrix of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold, *v. The United States*; and

In the cause of Robert M. Wilkinson, administrator of Samuel March, deceased, *v. The United States*.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

S. 158. An act granting an increase of pension to John Ard Gordon;

S. 2225. An act granting an increase of pension to Samuel White;

S. 2880. An act granting an increase of pension to James C. Coad;

S. 4174. An act granting an increase of pension to Joseph P. Garland;

S. 4235. An act granting an increase of pension to Daniel Sullivan;

S. 4345. An act granting an increase of pension to J. Dillon Turner;

S. 4365. An act granting an increase of pension to Mathew Kerwin;

S. 4366. An act granting an increase of pension to Henry B. Willhelmy;

S. 4695. An act granting an increase of pension to John H. Mullen;

S. 4991. An act granting an increase of pension to Lycurgus D. Riggs;

S. 5042. An act granting an increase of pension to Josephine S. Jones;

S. 5081. An act granting a pension to Lucy Florette Nichols;

S. 5402. An act granting an increase of pension to Charles M. Lyon;

S. 5545. An act granting an increase of pension to Margaret Brannon;

S. 5547. An act granting an increase of pension to Hillary Beyer;

S. 5637. An act granting an increase of pension to Margaret Himmel;

S. 5710. An act granting an increase of pension to Samuel M. Daughenbaugh;

S. 5994. An act granting an increase of pension to John Dickey;

S. 6148. An act granting an increase of pension to James S. Whitlock;

S. 6151. An act granting an increase of pension to Mark Ham;

S. 6197. An act granting an increase of pension to Charles E. Henry;

S. 6228. An act granting a pension to Betsey Hattery;

S. 6259. An act granting an increase of pension to Oakaley Randall;

S. 6339. An act granting an increase of pension to James Dearey; and

S. 6521. An act granting a pension to Abbie J. Daniels.

The message also announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

H. R. 522. An act granting an increase of pension to Frederick Roschdiansky;

H. R. 562. An act granting an increase of pension to John F. Mohn;

- H. R. 600. An act granting an increase of pension to Oliver N. McLain;  
 H. R. 747. An act granting an increase of pension to Robert Smith;  
 H. R. 1026. An act granting an increase of pension to Thomas M. Wilcox;  
 H. R. 1060. An act granting an increase of pension to Margaret E. Lounsbury;  
 H. R. 1067. An act granting an increase of pension to Jacob Bender;  
 H. R. 1068. An act granting an increase of pension to William S. Quigley;  
 H. R. 1144. An act granting an increase of pension to Franklin McFalls;  
 H. R. 1169. An act granting an increase of pension to Oliver P. Pierce;  
 H. R. 1249. An act granting a pension to William R. Fulk;  
 H. R. 1372. An act granting a pension to Josephine I. Richmond;  
 H. R. 1500. An act granting a pension to Emily J. Sherman;  
 H. R. 1673. An act granting an increase of pension to Jennie E. Edson;  
 H. R. 1687. An act granting an increase of pension to James C. Daly;  
 H. R. 1706. An act granting an increase of pension to George H. Washburn;  
 H. R. 1709. An act granting an increase of pension to Brice P. Munns;  
 H. R. 1800. An act granting a pension to Eliza J. Ingle;  
 H. R. 1891. An act granting an increase of pension to Simeon York;  
 H. R. 1904. An act granting an increase of pension to Nelson R. Satterlee;  
 H. R. 1938. An act granting an increase of pension to Thomas B. Foutty;  
 H. R. 2290. An act granting an increase of pension to Peter Reedy;  
 H. R. 2422. An act granting an increase of pension to Earl K. Childs;  
 H. R. 2761. An act granting an increase of pension to Michael Mahoney;  
 H. R. 2822. An act granting an increase of pension to Levi Gates;  
 H. R. 2909. An act granting an increase of pension to Jacob T. Wise;  
 H. R. 3194. An act granting an increase of pension to Samuel Harvey;  
 H. R. 3195. An act granting an increase of pension to Milton S. Collins;  
 H. R. 3226. An act granting an increase of pension to John E. Leahy;  
 H. R. 3228. An act granting an increase of pension to Michael Doyle;  
 H. R. 3234. An act granting an increase of pension to Rush Deskins;  
 H. R. 3297. An act granting an increase of pension to Thomas Lonergan;  
 H. R. 3355. An act granting an increase of pension to James L. Allen;  
 H. R. 3494. An act granting an increase of pension to Albert A. Talham;  
 H. R. 3496. An act granting an increase of pension to Edward Walton;  
 H. R. 3733. An act granting an increase of pension to Simeon D. Chelf;  
 H. R. 3980. An act granting a pension to Frank G. Hammond;  
 H. R. 4351. An act granting an increase of pension to George A. Johnson;  
 H. R. 4386. An act granting an increase of pension to Zelinda E. Odenbaugh;  
 H. R. 4648. An act granting an increase of pension to Sarah A. Dedrick;  
 H. R. 4656. An act granting an increase of pension to Thomas Snell;  
 H. R. 4663. An act granting an increase of pension to Horace B. Tanner;  
 H. R. 4705. An act granting a pension to Harriet E. Palmer;  
 H. R. 4834. An act granting an increase of pension to Silas V. White;  
 H. R. 5063. An act granting an increase of pension to William G. Miller;  
 H. R. 5172. An act granting an increase of pension to Milton Strattan;  
 H. R. 5200. An act granting an increase of pension to John F. McBride;  
 H. R. 5209. An act granting an increase of pension to Edward R. Dunbar;  
 H. R. 5648. An act granting an increase of pension to William Hand;  
 H. R. 5803. An act granting an increase of pension to Edwin L. Roberts;  
 H. R. 6145. An act granting an increase of pension to Parris J. Latham;  
 H. R. 6189. An act granting an increase of pension to Arthur Tibbitts;  
 H. R. 6705. An act granting an increase of pension to William H. Zachery;  
 H. R. 6911. An act granting an increase of pension to William J. Turner;  
 H. R. 6920. An act granting an increase of pension to Simon Millison;  
 H. R. 7211. An act granting a pension to James C. Southerland;  
 H. R. 7247. An act granting an increase of pension to Lorenzo Sink;  
 H. R. 7411. An act granting an increase of pension to Tobias Fisher;  
 H. R. 7417. An act granting an increase of pension to Gibson Helms;  
 H. R. 7476. An act granting an increase of pension to George C. Dean;  
 H. R. 7488. An act granting an increase of pension to Jacob L. Hatton;  
 H. R. 7544. An act granting an increase of pension to Gustavus F. E. Raschig;  
 H. R. 7834. An act granting an increase of pension to Joseph Amos;  
 H. R. 7912. An act granting an increase of pension to James M. Lawder;  
 H. R. 8136. An act granting an increase of pension to Joseph A. Scroggs;  
 H. R. 8159. An act granting an increase of pension to Charles Leathers;  
 H. R. 8312. An act granting an increase of pension to Abram Sours;  
 H. R. 8335. An act granting an increase of pension to John T. Harvey;  
 H. R. 8338. An act granting an increase of pension to Isaac S. Doan;  
 H. R. 8373. An act granting an increase of pension to Patrick Weir;  
 H. R. 8563. An act granting an increase of pension to William H. Hays;  
 H. R. 8668. An act granting an increase of pension to Stephen H. Rogers;  
 H. R. 8683. An act granting an increase of pension to William D. Voris;  
 H. R. 8732. An act granting a pension to Ellen S. Gifford;  
 H. R. 8789. An act granting an increase of pension to Levi Chapman;  
 H. R. 8915. An act granting an increase of pension to Susan Woolley;  
 H. R. 8925. An act granting an increase of pension to Chester Simpson;  
 H. R. 8958. An act granting an increase of pension to David Bowen;  
 H. R. 9090. An act granting an increase of pension to Amasa B. Saxton;  
 H. R. 9100. An act granting a pension to Nancy C. Paine;  
 H. R. 9113. An act granting a pension to Elizabeth Cleaver;  
 H. R. 9218. An act granting an increase of pension to William T. Blanchard;  
 H. R. 9250. An act granting an increase of pension to Obediah B. Nations;  
 H. R. 9402. An act granting an increase of pension to Adam S. Van Vorst;  
 H. R. 9403. An act granting an increase of pension to Kate E. Hanna;  
 H. R. 9816. An act granting an increase of pension to Charles A. Spanogle, alias Andrew C. Spanogle;  
 H. R. 10032. An act granting an increase of pension to Octavo Barker;  
 H. R. 10240. An act granting an increase of pension to John H. Currutt;  
 H. R. 10364. An act granting an increase of pension to John P. Patterson;  
 H. R. 10400. An act granting an increase of pension to Thomas Harrison;  
 H. R. 10403. An act granting an increase of pension to James H. Odell;



- H. R. 10531. An act granting an increase of pension to William G. Binkley;  
H. R. 10751. An act granting an increase of pension to George W. Harris;  
H. R. 10755. An act granting an increase of pension to Anna Flynn;  
H. R. 10760. An act granting a pension to Libbie A. Merrill;  
H. R. 10773. An act granting an increase of pension to George C. Rathbun;  
H. R. 10804. An act granting an increase of pension to John H. Worley;  
H. R. 10916. An act granting an increase of pension to Charles H. Shreeve;  
H. R. 10958. An act granting an increase of pension to Levi Dodson;  
H. R. 11169. An act granting an increase of pension to Robert P. Call;  
H. R. 11232. An act granting an increase of pension to Aaron L. Packer;  
H. R. 11322. An act granting an increase of pension to Luther H. Starkey;  
H. R. 11562. An act granting an increase of pension to Adam Wiles;  
H. R. 11564. An act granting an increase of pension to James Morrow;  
H. R. 11636. An act granting an increase of pension to Lawrence Hagan;  
H. R. 11701. An act granting an increase of pension to Marvin Waldorff;  
H. R. 12036. An act granting a pension to Mary A. Kilroy;  
H. R. 12106. An act granting an increase of pension to George W. Reagan;  
H. R. 12152. An act granting an increase of pension to Leonidas E. Mills;  
H. R. 12370. An act granting an increase of pension to Mary E. Randolph;  
H. R. 12554. An act granting an increase of pension to William Larraby;  
H. R. 12557. An act granting an increase of pension to John C. Berry;  
H. R. 12574. An act granting an increase of pension to Jacob R. Burkhardt;  
H. R. 12676. An act granting an increase of pension to Francis M. Morrison;  
H. R. 12911. An act granting an increase of pension to Ambrose S. Delaware;  
H. R. 13053. An act granting an increase of pension to Eli Bunting;  
H. R. 13054. An act granting an increase of pension to James M. Brown;  
H. R. 13241. An act granting an increase of pension to Francis Haner;  
H. R. 13455. An act granting an increase of pension to Josiah P. Higgins;  
H. R. 13813. An act granting an increase of pension to Samuel Brown;  
H. R. 13815. An act granting an increase of pension to Christian M. Good;  
H. R. 13887. An act granting an increase of pension to Joseph T. Eagler;  
H. R. 14238. An act granting an increase of pension to William H. Van Tassell;  
H. R. 14263. An act granting a pension to Fidelia Sellers;  
H. R. 14298. An act granting an increase of pension to John Remick;  
H. R. 14543. An act granting an increase of pension to Charles Barnell, alias Richard North;  
H. R. 14673. An act granting an increase of pension to David H. Semans;  
H. R. 14689. An act granting an increase of pension to Herman G. Weller;  
H. R. 14690. An act granting an increase of pension to Henrietta Hull;  
H. R. 14767. An act granting an increase of pension to Henry Simon;  
H. R. 14862. An act granting an increase of pension to Ann E. White;  
H. R. 14985. An act granting an increase of pension to Mary Gramberg;  
H. R. 15004. An act granting an increase of pension to William J. McAtee;  
H. R. 15150. An act granting an increase of pension to John O'Connor;  
H. R. 15193. An act granting an increase of pension to Frederick W. Studdiford;  
H. R. 15202. An act granting a pension to Henry Peetsch;  
H. R. 15297. An act granting an increase of pension to Nelson Hanson;  
H. R. 15421. An act granting an increase of pension to Paul Diedrich;  
H. R. 15430. An act granting an increase of pension to Oliver Lawrence;  
H. R. 15455. An act granting an increase of pension to John D. Brooks;  
H. R. 15471. An act granting an increase of pension to Eli Stover;  
H. R. 15580. An act granting an increase of pension to James P. Hudkins;  
H. R. 15769. An act granting an increase of pension to William W. Bennett;  
H. R. 15790. An act granting an increase of pension to Nicholas W. Dorrel;  
H. R. 15890. An act granting an increase of pension to Hiram C. Barney;  
H. R. 15980. An act granting an increase of pension to John T. Smith;  
H. R. 16002. An act granting a pension to Theodore T. Bruce;  
H. R. 16087. An act granting an increase of pension to Charles W. Foster;  
H. R. 16101. An act granting a pension to Alice Pugh;  
H. R. 16249. An act granting an increase of pension to Thomas Miller;  
H. R. 16257. An act granting a pension to Mary O'Donnell;  
H. R. 16389. An act granting a pension to Jefferson Wilcox;  
H. R. 16488. An act granting an increase of pension to Charles Hopkins;  
H. R. 16546. An act granting an increase of pension to Louis F. Beeler;  
H. R. 16895. An act granting an increase of pension to William M. Baker;  
H. R. 17172. An act granting an increase of pension to John Short;  
H. R. 17486. An act granting an increase of pension to Rudolph Papst;  
H. R. 17539. An act granting an increase of pension to Ambrose D. Albertson;  
H. R. 17646. An act granting an increase of pension to James M. Sheak;  
H. R. 17770. An act granting an increase of pension to Julia P. Grant;  
H. R. 17864. An act granting an increase of pension to Mary E. Austin;  
H. R. 17958. An act granting an increase of pension to Alexander Dixon;  
H. R. 17969. An act granting an increase of pension to Charles Walrod;  
H. R. 18031. An act granting an increase of pension to Daniel H. Toothaker;  
H. R. 18089. An act granting an increase of pension to Daniel J. Harte;  
H. R. 18114. An act granting an increase of pension to Henry B. Parker;  
H. R. 18155. An act granting an increase of pension to Frank S. Hastings;  
H. R. 18179. An act granting an increase of pension to William G. Baity;  
H. R. 18218. An act granting an increase of pension to Joseph L. Topham;  
H. R. 18247. An act granting an increase of pension to William Baird;  
H. R. 18261. An act granting an increase of pension to John T. Mitchell;  
H. R. 18295. An act granting an increase of pension to Joshua B. Casey;  
H. R. 18410. An act granting an increase of pension to Andrew J. Cushing;  
H. R. 18454. An act granting an increase of pension to Barlow Davis;  
H. R. 18474. An act granting an increase of pension to Robert Sturgeon;  
H. R. 18494. An act granting an increase of pension to Emma-gene Bronson;  
H. R. 18582. An act granting an increase of pension to Sarah E. Hoffman;  
H. R. 18608. An act granting an increase of pension to Mary E. Strickland;  
H. R. 18634. An act granting an increase of pension to Mary Sullivan;  
H. R. 18637. An act granting an increase of pension to Henry L. Sparks;

- H. R. 18677. An act granting a pension to Martin Alphons Luther;
- H. R. 18742. An act granting an increase of pension to Martin V. Barney;
- H. R. 18758. An act granting an increase of pension to Mary A. Daniel;
- H. R. 18761. An act granting an increase of pension to Benjamin Bolinger;
- H. R. 18771. An act granting an increase of pension to William G. Bailey;
- H. R. 18791. An act granting a pension to Michael Bocoskey;
- H. R. 18797. An act granting an increase of pension to John M. Defoe;
- H. R. 18871. An act granting an increase of pension to Emanuel Raudabaugh;
- H. R. 18884. An act granting an increase of pension to Weymouth Hadley;
- H. R. 19023. An act granting an increase of pension to John T. Lester;
- H. R. 19044. An act granting an increase of pension to Samuel C. McCormick;
- H. R. 19045. An act granting an increase of pension to Mary A. Agey;
- H. R. 19048. An act granting an increase of pension to Alfred Branson;
- H. R. 19117. An act granting an increase of pension to Mary E. Higgins;
- H. R. 19216. An act granting an increase of pension to Theophil Brodowski;
- H. R. 19237. An act granting an increase of pension to James Rout;
- H. R. 19280. An act granting an increase of pension to Peter J. Williamson;
- H. R. 19281. An act granting an increase of pension to Mary J. Gillem;
- H. R. 19296. An act granting an increase of pension to Assof Harelson;
- H. R. 19363. An act granting an increase of pension to Theodore Bland;
- H. R. 19386. An act granting an increase of pension to Robert Stewart;
- H. R. 19390. An act granting an increase of pension to William R. Sears;
- H. R. 19411. An act granting an increase of pension to James L. Estlow;
- H. R. 19412. An act granting an increase of pension to Jefferson K. Smith;
- H. R. 19420. An act granting an increase of pension to Eliza A. McKean;
- H. R. 19426. An act granting an increase of pension to George N. Griffin;
- H. R. 19479. An act granting an increase of pension to George W. Savage;
- H. R. 19482. An act granting an increase of pension to Sarah E. Cannell;
- H. R. 19490. An act granting a pension to Estelle I. Reed;
- H. R. 19510. An act granting an increase of pension to Richard B. West;
- H. R. 19523. An act to authorize Thomas J. Ewing and George B. Patton, of Catlettsburg, Ky.; Otto Burger, of Cincinnati, Ohio; Herbert Haynard, of Kenova, W. Va., and Charles Miller, of Huntington, W. Va., to construct a bridge across the Tug Fork of the Big Sandy River;
- H. R. 19541. An act granting an increase of pension to Job F. Martin;
- H. R. 19553. An act granting an increase of pension to James Robertson;
- H. R. 19577. An act granting an increase of pension to Mary L. Patton;
- H. R. 19579. An act granting an increase of pension to Robert F. Mayfield;
- H. R. 19584. An act granting an increase of pension to Joseph B. Pettey;
- H. R. 19603. An act granting an increase of pension to Jacob Farner;
- H. R. 19629. An act granting an increase of pension to Oliver Morton;
- H. R. 19639. An act granting an increase of pension to Lucy A. Kephart;
- H. R. 19648. An act granting an increase of pension to Sarah A. Wilson;
- H. R. 19651. An act granting an increase of pension to Joseph H. Prendergast;
- H. R. 19661. An act granting an increase of pension to Jacob McWilliams;
- H. R. 19672. An act granting an increase of pension to Thomas McDermott;
- H. R. 19703. An act granting an increase of pension to Seth Chase;
- H. R. 19708. An act granting an increase of pension to William A. Laffer;
- H. R. 19713. An act granting an increase of pension to Mary B. Mason;
- H. R. 19715. An act granting an increase of pension to Susan M. Brunson;
- H. R. 19716. An act granting an increase of pension to Mary F. Johnson;
- H. R. 19722. An act granting an increase of pension to William H. Burns;
- H. R. 19725. An act granting an increase of pension to Howard Bennett;
- H. R. 19738. An act granting an increase of pension to Benjamin St. Clair;
- H. R. 19758. An act granting an increase of pension to Josefa Montano;
- H. R. 19807. An act granting an increase of pension to John W. Marean;
- H. R. 19818. An act granting an increase of pension to William F. Clinkscales;
- H. R. 19858. An act granting an increase of pension to Richard E. Clapper;
- H. R. 19871. An act granting an increase of pension to John G. Kean, alias Cain;
- H. R. 19872. An act granting an increase of pension to Richard E. Hassett;
- H. R. 19873. An act granting an increase of pension to Robert Webb;
- H. R. 19885. An act granting an increase of pension to Frank Scherer;
- H. R. 19891. An act granting an increase of pension to Edwin D. Bates;
- H. R. 19907. An act granting an increase of pension to James Butler;
- H. R. 19915. An act granting an increase of pension to Greenleaf W. Crossman;
- H. R. 19923. An act granting an increase of pension to Bettie Ferguson;
- H. R. 19949. An act granting an increase of pension to Charles Van Ostrand;
- H. R. 19963. An act granting an increase of pension to Charles Carter;
- H. R. 19970. An act granting an increase of pension to Eugene Demers;
- H. R. 19990. An act granting an increase of pension to Susan F. Christie;
- H. R. 19998. An act granting an increase of pension to Eunice Cook;
- H. R. 20029. An act granting an increase of pension to John B. Maison;
- H. R. 20061. An act granting an increase of pension to Caswell York;
- H. R. 20064. An act granting an increase of pension to William C. Arnold;
- H. R. 20078. An act granting an increase of pension to Walter M. English;
- H. R. 20085. An act granting an increase of pension to Robert La Fontaine;
- H. R. 20087. An act granting an increase of pension to Cassia C. Tyler;
- H. R. 20088. An act granting an increase of pension to Mary J. Thurmond;
- H. R. 20090. An act granting a pension to Kate Wright;
- H. R. 20096. An act granting an increase of pension to Theresia Bell;
- H. R. 20117. An act granting an increase of pension to Preston J. Michener;
- H. R. 20129. An act granting an increase of pension to John Lemly;
- H. R. 20146. An act granting an increase of pension to Harriet C. Kenney;
- H. R. 20154. An act granting an increase of pension to George H. Dyer;
- H. R. 20166. An act granting an increase of pension to Sarah Salmon;
- H. R. 20198. An act granting an increase of pension to Mary E. Maddox;
- H. R. 20199. An act granting an increase of pension to Joseph N. Cadieux;
- H. R. 20219. An act granting an increase of pension to Ellen Downing;



H. R. 20222. An act granting an increase of pension to Henry C. Joseph;  
 H. R. 20229. An act granting an increase of pension to Jehu F. Wotring;  
 H. R. 20250. An act granting an increase of pension to Thomas McBride;  
 H. R. 20269. An act granting an increase of pension to Sarah A. Galloway;  
 H. R. 20272. An act granting an increase of pension to James L. House;  
 H. R. 20279. An act granting an increase of pension to Edmund Hostetter;  
 H. R. 20292. An act granting a pension to Howard William Archer;  
 H. R. 20303. An act granting an increase of pension to John Crowley;  
 H. R. 20327. An act granting a pension to Elizabeth A. Downie;  
 H. R. 20350. An act granting an increase of pension to Theodore F. Reighter;  
 H. R. 20351. An act granting an increase of pension to Peter M. Simon;  
 H. R. 20357. An act granting an increase of pension to Jane Auldridge;  
 H. R. 20363. An act granting an increase of pension to Otis E. Rush;  
 H. R. 20384. An act granting an increase of pension to Mary Wilson;  
 H. R. 20391. An act granting an increase of pension to Mary Jane Meldrim;  
 H. R. 20424. An act granting an increase of pension to George W. Wheeler;  
 H. R. 20431. An act granting an increase of pension to John Neumann;  
 H. R. 20463. An act granting an increase of pension to Nicholas D. Kenny;  
 H. R. 20559. A act granting an increase of pension to John Bradley;  
 H. R. 20617. An act granting an increase of pension to Isaac N. S. Will;  
 H. R. 20623. An act granting an increase of pension to James B. O. Horbach;  
 H. R. 20683. An act granting an increase of pension to James Bond;  
 H. R. 20712. An act granting an increase of pension to Samuel W. Searles;  
 H. R. 20714. An act granting an increase of pension to Robert Turley;  
 H. R. 20721. An act granting an increase of pension to James O. Pierce;  
 H. R. 20724. An act granting an increase of pension to Rhoda A. Holt;  
 H. R. 20725. An act granting a pension to Hope Martin;  
 H. R. 20726. An act granting an increase of pension to Mary J. Smith;  
 H. R. 20735. An act granting an increase of pension to Berge Larsen;  
 H. R. 20829. An act granting an increase of pension to David M. Watkins;  
 H. R. 20844. An act granting an increase of pension to Milton Russell;  
 H. R. 20891. An act granting an increase of pension to Hugh Blair;  
 H. R. 20896. An act granting an increase of pension to James F. Henninger;  
 H. R. 20899. An act granting an increase of pension to Charles W. Carpenter;  
 H. R. 20928. An act granting an increase of pension to Rueben A. George;  
 H. R. 20955. An act granting an increase of pension to Edward L. Carpenter;  
 H. R. 20958. An act granting an increase of pension to Darius E. Garland;  
 H. R. 20962. An act granting an increase of pension to Franklin H. Bailey;  
 H. R. 20964. An act granting an increase of pension to John Fox;  
 H. R. 20965. An act granting an increase of pension to Harvey Sine;  
 H. R. 20968. An act granting an increase of pension to Waitman T. Mathers;  
 H. R. 20988. An act to amend an act entitled "An act to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Mo-

nongahela River, in the State of Pennsylvania," approved February 21, 1903;

H. R. 21001. An act granting an increase of pension to George Rhodes;  
 H. R. 21015. An act granting an increase of pension to Evan H. Baker;  
 H. R. 21019. An act granting an increase of pension to Benjamin F. Fell;  
 H. R. 21045. An act granting an increase of pension to Unity A. Steel;  
 H. R. 21054. An act granting an increase of pension to William G. Wilson;  
 H. R. 21058. An act granting an increase of pension to William H. Isbell;  
 H. R. 21119. An act granting an increase of pension to Alexander Boshea;  
 H. R. 21124. An act granting an increase of pension to William B. Crane;  
 H. R. 21142. An act granting an increase of pension to Joseph Rose;  
 H. R. 21179. An act granting an increase of pension to Charles Green;  
 H. R. 21185. An act granting an increase of pension to Mary M. Goble;  
 H. R. 21216. An act granting an increase of pension to Eliza J. McCardel;  
 H. R. 21228. An act granting an increase of pension to Pleasant Crissip;  
 H. R. 21302. An act granting an increase of pension to Nicolaus Kirsch;  
 H. R. 21304. An act granting an increase of pension to Jacob Kohl;  
 H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;  
 H. R. 21578. An act granting an increase of pension to Andrew J. Gaskey;  
 H. R. 21641. An act granting an increase of pension to Levi Eddy;  
 H. R. 21678. An act to provide for the extension of time within which homestead entrymen may establish their residence upon certain lands which were heretofore a part of the Crow Indian Reservation, within the counties of Yellowstone and Rosebud, in the State of Montana;  
 H. R. 21749. An act granting an increase of pension to Annie Reaney;  
 H. R. 21849. An act granting an increase of pension to John P. Dix; and  
 H. R. 22584. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for other purposes.  
 H. J. Res. 196. Joint resolution relating to the construction of a bridge at Fort Snelling, Minn.; and  
 H. J. Res. 203. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the 20th day of said month.  
 [The foregoing House pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.]

#### PETITIONS AND MEMORIALS.

Mr. PLATT presented a petition of Majestic Council, No. 63, Daughters of Liberty, of Brooklyn, N. Y., and a petition of sundry citizens of Harpursville, N. Y., praying for the enactment of legislation to restrict immigration; which were referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Ellcottville, N. Y., and a memorial of sundry citizens of Cleveland, N. Y., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Brownville, N. Y., praying for the passage of the so-called "Philippine tariff bill;" which was referred to the Committee on the Philippines.

He also presented a petition of the congregations of the Baptist, Methodist Episcopal, and Presbyterian churches of Williamsbridge, N. Y., praying for an investigation into the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

Mr. KEAN presented a petition of D. D. Mitchell Camp, No. 13, United Spanish War Veterans, of Newark, N. J., praying for the enactment of legislation to repeal the present anti-

canteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of the Bergen Republican Club, of Jersey City, N. J., praying for the enactment of legislation to reorganize and increase the efficiency of the artillery of the United States; which was referred to the Committee on Military Affairs.

Mr. DEPEW presented a memorial of the New York Produce Exchange, of New York City, N. Y., remonstrating against further appropriations for the free distribution of seeds and plants; which was referred to the Committee on Agriculture and Forestry.

He also presented the memorial of J. J. Gardiner and 50 other citizens of Adams Corner, N. Y., remonstrating against the enactment of legislation authorizing the closing of certain places of business in the District of Columbia on Sunday; which was referred to the Committee on the District of Columbia.

Mr. ANKENY presented a memorial of sundry citizens of Farmington, Wash., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

He also presented a petition of General Lew Wallace Post, No. 115, Department of Washington, Grand Army of the Republic, of Orchards, Wash., praying for the passage of the so-called "service pension bill;" which was referred to the Committee on Pensions.

Mr. DRYDEN presented a petition of the Board of Trade of Passaic, N. J., praying for the enactment of legislation providing for the classification of salaries of post-office clerks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union, of Newark, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was ordered to lie on the table.

He also presented a petition of D. D. Mitchell Camp, No. 13, United Spanish War Veterans, of Newark, N. J., praying for the reestablishment of the Army canteen; which was referred to the Committee on Military Affairs.

Mr. NELSON presented a petition of the city council of Lake City, Minn., praying that an annual appropriation of \$50,000,000 be made for the improvement of the rivers and harbors of the country; which was referred to the Committee on Commerce.

Mr. WARNER presented the petition of Anna E. Lucas, of Fairplay, Mo., praying that she be granted a pension; which was referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of the Retail Grocers' Protective Association of Washington, D. C., and a petition of the Retail Butchers and Meat Dealers' Protective Association of Washington, D. C., praying for the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a memorial of the Religious Liberty Bureau of Washington, D. C., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented memorials of sundry citizens of Peoria and St. James, in the State of Illinois, remonstrating against the enactment of legislation authorizing the closing of certain places of business in the District of Columbia on Sunday; which were referred to the Committee on the District of Columbia.

Mr. FRYE presented a memorial of the Copper River Railway Company, of Washington, remonstrating against the enactment of legislation to aid in the construction of a railway line in Alaska; which was referred to the Committee on Territories.

Mr. TELLER presented a memorial of Local Division No. 35, Order of Railway Conductors, of North Platte, Nebr., remonstrating against the enactment of legislation limiting the hours of daily labor of railway trainmen; which was referred to the Committee on Interstate Commerce.

Mr. DANIEL presented the memorial of Adolph Steiner and sundry other citizens of Bedford County, Va., remonstrating against the enactment of legislation to authorize the closing of certain places of business in the District of Columbia on Sunday; which was referred to the Committee on the District of Columbia.

He also presented petitions of Peninsula Council, No. 125, of Hampton; of Belfast Council, No. 130, of Blackstone; of Local Council No. 65, of Newport News; of Ideal Council, No. 71, of Norfolk; of Valley Mount Council, No. 173, of Nellys Ford; of

McKinley Council, No. 47, of Gilmerton; of Grove Council, No. 40, of Richmond; of the State Council of Virginia; of Hallwood Council, No. 150, and of Massamuten Council, No. 68, of Townbrook, all of the Junior Order of United American Mechanics, in the State of Virginia, praying for the enactment of legislation to regulate immigration; which were referred to the Committee on Immigration.

Mr. TALIAFERRO presented a memorial of sundry citizens of Gainesville, Fla., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

Mr. BURKETT presented memorials of sundry citizens of Gage County, Aurora, and Culbertson, all in the State of Nebraska, and of sundry citizens of Washington, D. C., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a memorial of the library board of the State University of Nebraska, remonstrating against the enactment of legislation to amend and consolidate the acts respecting copyright; which was referred to the Committee on Patents.

Mr. GAMBLE presented a petition of the Woman's Christian Temperance Union of Woonsocket, S. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was ordered to lie on the table.

He also presented the memorial of William H. Powers, librarian of the South Dakota Agricultural College, Brookings, S. Dak., and the memorial of M. Alice Matthews, librarian of the State University, Vermillion, S. Dak., remonstrating against the enactment of legislation to amend the laws respecting copyrights; which were referred to the Committee on Patents.

He also presented memorials of sundry citizens of Sioux Falls, Lake Preston, Artesian, Beresford, Willow Lake, and Montrose, all in the State of South Dakota, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented an affidavit to accompany the bill (S. 6964) granting an increase of pension to Silas N. Palmer; which was referred to the Committee on Pensions.

Mr. WARREN presented a petition of Local Division No. 35, Order of Railway Conductors, of North Platte, Nebr., remonstrating against the enactment of legislation to fix an arbitrary limit of the continuous hours employees shall be allowed to work in the transportation department of railroads; which was referred to the Committee on Interstate Commerce.

Mr. RAYNER presented memorials of sundry citizens of Rock Hall and Baltimore, in the State of Maryland, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. BRANDEGEE presented a memorial of Local Grange No. 153, Patrons of Husbandry, of Bridgewater, Conn., remonstrating against further appropriation for the free distribution of seeds and plants; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the librarian of Trinity College, Hartford, Conn., remonstrating against the enactment of legislation to amend the laws respecting copyrights; which was referred to the Committee on Patents.

Mr. LONG presented sundry affidavits to accompany the bill (S. 6876) granting an increase of pension to Jesse L. Pritchard; which were referred to the Committee on Pensions.

Mr. LODGE presented a memorial of sundry citizens of Boston, Mass., remonstrating against the enactment of legislation to authorize the closing of certain places of business in the District of Columbia on Sunday; which was referred to the Committee on the District of Columbia.

#### TRANSPORTATION OF LIVE STOCK BY RAILROAD.

Mr. CULBERSON. Mr. President, the Cattle Raisers' Association of Texas and the live stock producers throughout Texas, New Mexico, Arizona, California, Oklahoma, Kansas, Colorado, and the western part of the United States generally state in a memorial which I hold in my hand that they are at this time suffering more extensive damage from shortage of cars and other equipment and from bad service in the transportation of live stock by railroad than from disease, limited markets, and all other evils combined.

I ask that this memorial, which I present, may be printed in the Record and referred to the Committee on Interstate Commerce. It is not too much, I trust, Mr. President, to express



the hope that the committee may speedily find some remedy for the condition alluded to in the memorial.

There being no objection, the memorial was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Whereas the members of the Cattle Raisers' Association of Texas and live stock producers throughout Texas, New Mexico, Arizona, California, Oklahoma, Kansas, Colorado, and the entire western part of the United States are at this time suffering more extensive damage from shortage of cars and other equipment and from bad service in the transportation of live stock by railroads than from disease, limited markets, and all other evils combined; and

Whereas the laws of the land require a common carrier when it attempts to operate a railway to furnish equipment, in the way of a good roadbed, ample cars, engines, etc., so as to be able to promptly handle and transport all freight tendered on its line; and

Whereas the owners of railways as an initial investment should furnish the funds to so equip any such railways without depending on donations and income to provide such equipment; and

Whereas the railways, or a large number of them, throughout the territory named above have for many years failed to meet these substantial legal obligations and duties to the public resting upon them, for which failures especially in interstate transportation the law does not provide sufficient remedies and penalties; and

Whereas this evil has, during the last few months, assumed more destructive proportions than ever before to the extent that the injury and damage to the cattle business on account of the railways failing to furnish cars and engines and on account of the imperfect service they have given throughout the West have been enormous; and in this connection it is true that this question of failure to furnish cars and motive power to transport the cattle has been growing worse every year, especially in the matter of furnishing cars on most of the lines, and it has gotten to the point where no cattle raiser can sell his cattle to be delivered on the cars with any expectation of being able to carry out his contract if he has previously contracted a sale of them; neither can he expect to ship his cattle when they are ready for the market, and hundreds of herds have been turned loose on the range after being held for weeks waiting for cars, which had been ordered months before (this is particularly true throughout Texas and New Mexico and doubtless it is equally true throughout the Northwest); and

Whereas this failure on the part of the common carriers to meet the obligations resting upon them has caused paralysis in the cattle industry throughout a large part of the United States; and

Whereas we believe that this failure is not caused alone by the insufficiency of cattle cars, but also on account of insufficient motor power and other defective and insufficient equipment and by reason of the appropriation of cattle cars to the hauling of coal and other commodities; and

Whereas the remedy against these common carriers for the failure to perform their duty in these respects by suing for damages is wholly insufficient and inadequate; and

Whereas it is competent for the Congress of the United States, as applicable to interstate shipments, to enact laws similar to those in Texas covering local shipments in regard to furnishing cars, etc., and to provide either by direct legislation or by conferring upon the Interstate Commerce Commission the power to control this matter and furnish the live-stock producing interest of the country relief from this terrible calamity and to compel the railways of the country to comply with their fundamental duties to the public in this particular;

Now, therefore, the executive committee of the Cattle Raisers' Association of Texas, in regular session at Fort Worth, Tex., on this December 10, 1906, without reciting special instances of large herds of cattle being held for weeks at shipping points and being turned loose in midwinter because the railways could not ship them out; and without referring to the many cases where cattle have been transported long distances at an unreasonably slow rate of speed of only about 10 miles per hour, which treatment, it is unnecessary to say, is practically destructive to perishable freight like live stock, petition and implore the Congress of the United States to take immediate action for the remedying of this great and growing evil; be it

*Further resolved*, That we recommend that our attorney proceed at once to bring this matter to the attention of the President and of Congress, and that the members of this committee immediately communicate with the Congressmen from their different districts, urging upon them the vital importance of securing at as early a date as possible legislation upon this subject.

IKE T. PRYOR, *President*.  
JNO. T. LYTLE, *Secretary*.

#### NAVY YEARBOOK.

Mr. HALE. I present for reprinting, with additions to date, a compilation of the annual naval appropriation laws and tables, and I ask that it be printed as a document. I also ask that 1,600 additional copies be printed and bound in cloth, 800 copies for the use of the Senate and 800 copies for the use of the Committee on Naval Affairs of the Senate. This is the fourth edition of the compilation, and it will hereafter be known as the "Navy Yearbook."

The VICE-PRESIDENT. The Senator from Maine asks for a reprint of the Navy Yearbook, and that 1,600 additional copies be printed. Is there objection? The Chair hears none, and it is so ordered.

#### REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 6872) to amend an act entitled "An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.," reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported

them severally without amendment, and submitted reports thereon:

A bill (S. 6578) to amend an act entitled "An act to provide for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, and to amend an act amendatory thereof approved June 20, 1906; and

A bill (S. 6907) to amend an act entitled "An act to regulate the keeping of employment agencies in the District of Columbia where fees are charged for procuring employment or situations," approved June 19, 1906.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (S. 6470) in relation to the Washington Market Company, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 5290) providing for the allotment and distribution of Indian tribal funds, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5823) granting an increase of pension to Nelson Virgin;

A bill (S. 3220) granting an increase of pension to Wilbur H. Clark; and

A bill (S. 123) granting an increase of pension to William M. Morgan.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 3221) granting an increase of pension to Robert Mills, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1493) granting an increase of pension to Catharine Huff; and

A bill (S. 6645) granting an increase of pension to Timothy C. Stillwell.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1240) granting an increase of pension to Dana W. Hartshorn;

A bill (S. 4772) granting an increase of pension to Gertrude McNeil; and

A bill (S. 5156) granting an increase of pension to Granville F. North.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 774) granting an increase of pension to August Krueger;

A bill (S. 6126) granting an increase of pension to James E. Speake;

A bill (S. 2794) granting an increase of pension to John H. Allison;

A bill (S. 6051) granting an increase of pension to Mary A. Duncan;

A bill (S. 6882) granting an increase of pension to Elisha H. Stephens;

A bill (S. 6881) granting an increase of pension to Jefferson Bush;

A bill (S. 2541) granting an increase of pension to Thomas W. Murray; and

A bill (S. 6008) granting an increase of pension to Joseph Lamont.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2669) granting an increase of pension to Winfield S. Ramsey;

A bill (S. 5001) granting an increase of pension to Louis A. Baird;

A bill (S. 771) granting an increase of pension to S. G. Kreidler;

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

A bill (S. 5693) granting an increase of pension to Margaret L. Houlihan;

A bill (S. 5084) granting a pension to John W. Connell;

A bill (S. 4771) granting an increase of pension to George R. Turner;

A bill (S. 6238) granting an increase of pension to Hugh S. Strain; and

A bill (S. 6883) granting an increase of pension to Thomas W. White.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6942) granting an increase of pension to William B. Dow;

A bill (S. 6824) granting an increase of pension to Byron Canfield;

A bill (S. 6826) granting an increase of pension to Jacob Turner;

A bill (S. 6572) granting an increase of pension to Aaron L. Roberts;

A bill (S. 5685) granting an increase of pension to James M. Jenkins; and

A bill (S. 6574) granting an increase of pension to Maria H. Waggoner.

Mr. BLACKBURN, from the Committee on the District of Columbia, to whom was referred the bill (S. 7170) to amend an act relating to service on foreign corporations, approved June 30, 1902, entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,'" reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 6405) for the opening of Macomb street NW., District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. SMOOT, from the Committee on Pensions, to whom was referred the bill (S. 4908) granting an increase of pension to William H. Kimball, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4510) granting an increase of pension to Rufus C. Allen, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 6997) granting an increase of pension to William Kennedy, reported it without amendment, and submitted a report thereon.

Mr. PILES, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5771) granting a pension to Mary E. Thompson;

A bill (S. 6650) granting an increase of pension to John A. McGinty; and

A bill (S. 7160) granting an increase of pension to Kate Myers.

Mr. PILES, from the Committee on Pensions, to whom was referred the bill (S. 5502) granting an increase of pension to John B. Coyle, reported it without amendment, and submitted a report thereon.

Mr. BURKETT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6714) granting an increase of pension to Joseph Bolshaw; and

A bill (S. 6712) granting an increase of pension to Orin Ingram.

Mr. BURKETT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2643) granting an increase of pension to James H. Thrasher;

A bill (S. 6767) granting an increase of pension to John C. Brown; and

A bill (S. 6506) granting an increase of pension to Henry Z. Bowman.

Mr. BURKETT, from the Committee on Pensions, to whom was referred the bill (S. 5740) granting an increase of pension to Jared Ayer, reported it with amendments, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 6558) granting an increase of pension to Samuel A. Pearce; and

A bill (S. 4542) granting an increase of pension to Aaron Daniels.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 6368) granting an increase of pension to Sherrad Hamilton, reported it with amendments, and submitted a report thereon.

Mr. GEARIN, from the Committee on Pensions, to whom was referred the bill (S. 6632) granting an increase of pension to

William Davis, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6631) granting an increase of pension to George W. Hodgman; and

A bill (S. 6978) granting an increase of pension to Samuel Jackson.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 6019) granting a pension to Harriet O'Donald; and

A bill (S. 4979) granting an increase of pension to Don C. Smith.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 5067) granting an increase of pension to Martin Schultz, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 7077) granting an increase of pension to Mary E. Hattan;

A bill (S. 6266) granting an increase of pension to Paul Baker; and

A bill (S. 3671) granting an increase of pension to Louis Castinetti.

#### HOLIDAY RECESS.

Mr. HALE. I report back from the Committee on Appropriations, without amendment, the concurrent resolution of the House of Representatives, providing for adjournment for the holidays, and I ask for its immediate consideration.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring). That when the two Houses adjourn on Thursday, December 20, they stand adjourned until 12 o'clock meridian, January 3, 1907.*

#### DISTRICT OF COLUMBIA BUILDING AT JAMESTOWN EXPOSITION.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia to report back favorably, with amendments, the bill (S. 7040) to provide for the erection of a District of Columbia building and an appropriate exhibit therein at the Jamestown Tercentennial Exposition, and for other purposes, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on the District of Columbia were, in section 3, page 2, line 14, after the word "Jamestown," to strike out "Tercentennial Commission" and insert "Exposition Company;" and in the same section, on page 3, line 18, to strike out "Commission" and insert "Company;" so as to make the bill read:

*Be it enacted, etc., That there shall be prepared and exhibited at the Jamestown Tercentennial Exposition by the District of Columbia, and transported from and to said District and elsewhere, such models and photographs of public and private buildings and parks, and such articles, objects, and things as will illustrate the progress and condition of the District of Columbia and of the city of Washington as the nation's capital, under the control, designation, and approval of the Commissioners of the District of Columbia; and the Jamestown Tercentennial Commission are hereby authorized and directed to cooperate with the Commissioners of the District of Columbia to enable them to carry out the intent and purpose of this act.*

SEC. 2. That the Commissioners of the District of Columbia be, and they hereby are, authorized to detail officers and employees of the District of Columbia to aid them to carry out the provisions of this act, who shall receive no compensation other than their regular salaries or pay, but who shall be allowed their actual traveling expenses, and expenses of maintenance, while absent from the District of Columbia under said detail; and the said Commissioners are hereby further authorized to appoint such persons as they may deem necessary to aid them in said exhibit of said District of Columbia, who shall serve without any compensation or allowance whatever.

SEC. 3. That the Commissioners of the District of Columbia shall obtain the necessary site under the same terms as are offered by the Jamestown Exposition Company to States and other exhibitors and shall cause a suitable building to be erected thereon for the said District of Columbia exhibit, and the other exhibits aforesaid, and shall make all contracts therefor in the same manner and under the same regulations by which they now make contracts for public works and buildings in the District of Columbia: *Provided*, That the Commissioners of the District of Columbia, in case they shall consider bids received for the construction of said building to be excessive, or if for any other reason they deem that it would be more advantageous to construct the building by day labor rather than by contract, they are hereby authorized to construct such building by day labor and purchase the material for same in open market, if the same can be done within the amount herein appropriated for said site, building, and exhibits. The Commissioners shall further prepare the site and approaches, in-



cluding preparations for lighting same, and they shall, during the erection and use of said building and grounds, approaches, and appurtenances, and until the close of said exposition, maintain, keep, and care for the same. For the above purposes the said Commissioners are authorized to employ such agents, officers, and employees, in addition to those in this act before mentioned, to be by them appointed and dismissed, at and for such compensation and for such time as they may determine. At the close of said exposition the Commissioners of the District of Columbia shall dispose of the said site and building and the materials composing the said building at public or private sale on such terms and conditions as they may deem proper, giving preference to the Jamestown Exposition Company to purchase the same at an appraised value to be ascertained in such manner as the said Commissioners may determine; and the proceeds of said sale shall be paid into the Treasury of the United States to reimburse the appropriation in this act contained, one half thereof to the credit of the District of Columbia and the other half to the credit of the United States.

Sec. 4. That to carry out in full all of the provisions of this act the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, one half to be paid out of any money in the Treasury of the United States not otherwise appropriated, and the other half out of the revenues of the District of Columbia, to be expended by the Commissioners of the District of Columbia, and as they may direct, and they shall make a complete statement of all expenditures under this act to Congress.

The amendments were agreed to.

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

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

#### LOAN TO JAMESTOWN EXPOSITION COMPANY.

Mr. WARNER. I am directed by the Select Committee on Industrial Expositions to report back, with a favorable recommendation and with amendments, the bill (S. 6896) appropriating the sum of \$1,000,000 as a loan to the Jamestown Exposition Company for the purpose of aiding in the payment of the cost of construction, completion, and opening of the Jamestown Tercentennial Exposition on Hampton Roads, Virginia, on April 26, 1907, and to provide for the protection of the Government and insuring the repayment of the sum of \$1,000,000 by a first lien upon the gross receipts of the said exposition company from all paid admissions to the grounds of said exposition and from all moneys received from concessions after the opening of said exposition, and I submit a report thereon. I desire to call the attention of the senior Senator from Virginia [Mr. DANIEL] to the bill.

Mr. DANIEL. If in order to do so, I ask unanimous consent that the Senate take present consideration of the bill reported by the junior Senator from Missouri. I do not know that I am in order to say anything in support of this request, but I can state the considerations.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill.

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

Mr. HALE. Mr. President, this is a very important bill, and there are provisions in it which I do not understand from the reading. I think it is proper that it should go over in order that Senators may have an opportunity to examine it.

The VICE-PRESIDENT. The bill will go to the Calendar.

#### POTOMAC RIVER HIGHWAY BRIDGE.

Mr. GALLINGER. I report back from the Committee on the District of Columbia, without amendment, the joint resolution (S. R. 76) providing for an extension of time for completing the highway bridge and approaches across the Potomac River at Washington, D. C. The War Department is extremely anxious that this measure should be immediately acted on, and I venture to ask for present consideration.

The VICE-PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

*Resolved, etc.,* That the time for completing the construction of the highway bridge and approaches across the Potomac River, authorized by section 12 of the act of Congress approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes," as amended by the District of Columbia appropriation act, approved July 1, 1902, and as amended by joint resolution providing for an extension of time for completing the highway bridge and approaches across the Potomac River at Washington, D. C., approved February 18, 1905, and as amended by joint resolution providing for an extension of time for completing the highway bridge and approaches across the Potomac River at Washington, D. C., approved February 19, 1906, be, and is hereby, extended to June 30, 1907.

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

Mr. BURKETT. I should like to ask the Senator from New Hampshire if the joint resolution is just as it was printed and laid on our desks? It is from the Committee on the District of Columbia?

Mr. GALLINGER. It is from the Committee on the District of Columbia.

Mr. BURKETT. And just the same as it was printed?

Mr. GALLINGER. It is exactly the same.

Mr. BURKETT. I happened to be absent when it was considered by the committee. I should like to ask the Senator what is the cause of this delay. I think we extended the time a year ago.

Mr. GALLINGER. Yes; we have extended the time, I think, twice before. The work is practically completed. The time has expired, however, and there are a few items of expenditure yet to be made. The War Department has made the request that this extension should be granted. I think it is important that it should be done.

Mr. BURKETT. I should like to ask the Senator if there is any estimate for increased expense that comes with it?

Mr. GALLINGER. Not at all.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution just read?

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

#### BILLS INTRODUCED.

Mr. WARNER introduced a bill (S. 7211) to amend an act entitled "An act to amend an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley in Jackson County, Mo.," approved March 19, 1904; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 7212) to change the date of commission of Col. John L. Chamberlain, Inspector-General, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 7213) providing for the establishment of a public park at Langdon, in the District of Columbia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 7214) respecting proceedings in the courts of the United States in the western district of the State of Missouri; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 7215) granting an increase of pension to Gottlieb Kuenster;

A bill (S. 7216) granting an increase of pension to James M. Haggett, alias Hockett;

A bill (S. 7217) granting an increase of pension to Daniel H. Fairchild; and

A bill (S. 7218) granting an increase of pension to Samuel D. Thompson.

Mr. STONE introduced a bill (S. 7219) to amend section 1 of an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 7220) granting an increase of pension to Nancy Bethel; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 7221) granting an increase of pension to Helen M. Ferrin; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 7222) granting an increase of pension to Sylvester Byrne (with an accompanying paper);

A bill (S. 7223) granting a pension to Joseph W. Little (with accompanying papers);

A bill (S. 7224) granting a pension to Matilda Daly;

A bill (S. 7225) granting an increase of pension to William Gotshall;

A bill (S. 7226) granting an increase of pension to Isabella P. Kirk; and

A bill (S. 7227) granting an increase of pension to Robert M. Blankin.

Mr. PENROSE introduced a bill (S. 7228) for the relief of J. Howard Mitchell, which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 7229) authorizing the promotion on the retired list of the Navy of John S. Hothersall, United States Navy (retired); which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. DRYDEN introduced a bill (S. 7230) granting an increase of pension to Thomas Sheppard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 7231) granting an increase of pension to Oscar F. Richards; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

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

A bill (S. 7232) to amend the laws relating to navigation; and

A bill (S. 7233) to amend the law relating to the transportation of passengers by water between ports in the United States and ports in the District of Alaska.

Mr. NELSON introduced a bill (S. 7234) granting an increase of pension to Sarah E. Hasler; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 7235) granting a pension to Emeline C. Seger;

A bill (S. 7236) granting a pension to Julia Canfield; and

A bill (S. 7237) granting an increase of pension to Daniel McConnell.

Mr. DICK introduced a bill (S. 7238) authorizing the President to place James Carroll on the retired list with the rank of lieutenant-colonel; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 7239) granting a pension to Samuel Zimmerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 7240) granting an increase of pension to Morris J. Foote; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 7241) reserving to the Government the title to all coal, lignite, petroleum, and natural-gas deposits within the public domain and providing for the opening of public lands containing such deposits to settlement and entry under the public-land laws, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 7242) to provide for the purchase of a site and the erection of a public building thereon at Minot, in the State of North Dakota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GAMBLE introduced a bill (S. 7243) granting an increase of pension to Justus B. Coomer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7244) granting an increase of pension to Bessie Sharp Pettit; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 7245) for the relief of Lillie L. Penrod, sole heir of Mary E. Wycough, deceased, late daughter and heir of Buford H. Neely, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CLARK of Montana introduced a bill (S. 7246) granting an increase of pension to William H. Berry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 7247) to provide for the establishment of an immigration station at New Orleans, in the State of Louisiana, and the erection in said city on a site to be selected for said station of a public building; which was read twice by its title, and referred to the Committee on Immigration.

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

A bill (S. 7248) for the relief of the estate of Francois Florival Metoyer, deceased;

A bill (S. 7249) for the relief of C. A. Sarpy;

A bill (S. 7250) for the relief of the estate of Victor Lastrapes, deceased;

A bill (S. 7251) for the relief of the estate of Leon Lemelle, deceased;

A bill (S. 7252) for the relief of the estate of Hillaire Paillett, deceased;

A bill (S. 7253) for the relief of Martin Guillory;

A bill (S. 7254) for the relief of the estate of Ovid Decuir, deceased;

A bill (S. 7255) for the relief of Harvillien Norris;

A bill (S. 7256) for the relief of the estate of George Sallinger, deceased;

A bill (S. 7257) for the relief of Paul Duhon;

A bill (S. 7258) for the relief of the estate of Artemise Metoyer, deceased;

A bill (S. 7259) for the relief of the estate of Ozam D. Metoyer, deceased;

A bill (S. 7260) for the relief of H. N. Sarpy;

A bill (S. 7261) for the relief of the estates of Thoefile Metoyer and Elena Metoyer, deceased;

A bill (S. 7262) for the relief of the heirs of John Bemiss, deceased;

A bill (S. 7263) for the relief of the estate of Halcott T. Burges, deceased; and

A bill (S. 7264) for the relief of the estate of J. Valcour Metoyer, deceased.

Mr. LONG introduced a bill (S. 7265) granting an increase of pension to John R. McCoy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MALLORY introduced a bill (S. 7266) to prescribe a term of court for the district court of the United States for the northern district of Florida, to be held at Apalachicola, Fla., in said district; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. TALIAFERRO introduced a bill (S. 7267) granting a pension to Catherine R. Sabie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7268) granting an increase of pension to De Wayne W. Suydam; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KITTREDGE introduced a bill (S. 7269) for the erection of an addition or extension to the post-office and court-house at Sioux Falls, S. Dak.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 7270) to establish a fish-hatching and fish-culture station at Dell Rapids, S. Dak.; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 7271) for the relief of Rathbun Beachy & Co.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 7272) granting an increase of pension to George W. Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

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

A bill (S. 7273) for the relief of Oscar F. Lackey for injuries sustained by him while acting as assistant engineer in the construction of the Panama Canal (with an accompanying paper);

A bill (S. 7274) for the relief of the trustees of the Evangelical Lutheran Church of Burkittsville, Md. (with an accompanying paper);

A bill (S. 7275) for the relief of the vestry of St. Thomas Protestant Episcopal Church, of Hancock, Md. (with accompanying papers);

A bill (S. 7276) for the relief of the trustees of the African Methodist Episcopal Church of Hagerstown, Md. (with an accompanying paper);

A bill (S. 7277) for the relief of the corporation of the Methodist Episcopal Church of Hancock, Md. (with an accompanying paper); and

A bill (S. 7278) for the relief of the consistory of Grace Reformed Church, of Knoxville, Md. (with an accompanying paper).

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

A bill (S. 7279) granting an increase of pension to Morris B. Slawson;

A bill (S. 7280) granting an increase of pension to Henry Love;

A bill (S. 7281) granting a pension to Emma L. Beatty;

A bill (S. 7282) granting an increase of pension to Emily M. Tyler; and

A bill (S. 7283) granting an increase of pension to William T. Cooper (with accompanying papers).



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

A bill (S. 7284) granting a pension to William C. Manning; A bill (S. 7285) granting an increase of pension to Henry Tyler;

A bill (S. 7286) granting a pension to Mary J. Stillman; and A bill (S. 7287) granting an increase of pension to Charles L. Bartow.

Mr. CLAPP (by request) introduced a bill (S. 7288) to provide for the granting of rights of way through Indian lands in certain cases; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request), introduced a bill (S. 7289) to authorize the Secretary of the Interior to reserve power sites and natural reservoir sites on Indian reservations when the reservation lands are opened to settlement and entry; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 7290) for the establishment of a drainage fund and the construction of works for the reclamation of swamp and overflowed lands; which was read twice by its title, and referred to the Committee on the Public Lands.

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

A bill (S. 7291) granting an increase of pension to Moses Blunk;

A bill (S. 7292) granting an increase of pension to Stephen Prior;

A bill (S. 7293) granting an increase of pension to John White; and

A bill (S. 7294) granting an increase of pension to W. P. Patterson.

Mr. GALLINGER introduced a bill (S. 7295) granting an increase of pension to Gabriel Campbell; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 7296) for the relief of William T. Harris (with an accompanying paper);

A bill (S. 7297) for the relief of Eliza Leathers, widow and administratrix of Alfred Leathers, deceased (with an accompanying paper); and

A bill (S. 7298) for the relief of the trustees of the Assembly Presbyterian Church, of Harrodsburg, Ky.

Mr. McCREARY introduced a bill (S. 7299) to correct the military record of Andrew J. Hasty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PATTERSON introduced a bill (S. 7300) to amend an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. KITTREDGE introduced a joint resolution (S. R. 80) authorizing the Secretary of War to furnish two 3-inch wrought-iron muzzle-loading cannon, with their carriage, limber, and accessories, to the State of South Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

#### VOLUNTEER RETIRED LIST.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (S. 2162) to create in the War Department a special roll, to be known as the "Volunteer retired list;" to authorize placing thereon with pay certain surviving officers of the United States Volunteer Army of the civil war, and for other purposes; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### AMENDMENTS TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. HEYBURN submitted the following amendments intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed:

An amendment providing for the payment of mileage to clerks of committees and clerks to Senators who are not chairmen of committees, etc.; and

An amendment proposing to increase the compensation paid to clerks to committees and clerks to Senators.

Mr. KITTREDGE submitted an amendment providing for one clerk (in lieu of a private now detailed as clerk) of the Capitol police at \$1,200 per annum, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### LOSS OF LIGHTER MARIA.

Mr. LODGE. I offer the resolution which I send to the desk, and ask unanimous consent for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of War be, and he is hereby, directed to inform the Senate what allowance, if any, has been made by the Quartermaster-General's Department on the claim of Brooks & Co., of Santiago, for the loss of the lighter Maria while in the service of the Government of the United States during its military occupation of Cuba.

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

Mr. BACON. Mr. President, I ask that that resolution may be again read.

Mr. LODGE. It is a resolution asking for certain papers in a claim for damage to a vessel caused by a Government transport.

Mr. BACON. That is sufficient, Mr. President.

The resolution was considered by unanimous consent, and agreed to.

#### D. M. CARMAN, MANILA, P. I.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he is hereby, directed to inform the Senate what allowances, if any, have been made by the Quartermaster-General's Department and remain unpaid upon claims of D. M. Carman, of Manila, P. I., arising out of his contracts with the said department for lighters, cascos, or other means of transportation in the Philippines.

#### EXTENSION OF FEDERAL POWERS.

Mr. WHYTE. I offer resolutions which I send to the desk, and ask that they may be read and lie upon the table.

The Secretary read the resolutions, as follows:

1. *Resolved*, That the people of the several States, acting in their highest sovereign capacity as free and independent States, adopted the Federal Constitution and established a form of government in the nature of a confederated republic, and for the purpose of carrying into effect the objects for which it was formed delegated to that Government certain rights enumerated in said Constitution; but reserved to the States, respectively, or to the people thereof, all the residuary powers not delegated to the United States by the Constitution nor prohibited by it to the States.

2. *Resolved further*, That the extension of the Federal powers beyond those enumerated in the Constitution can only be rightfully accomplished in the manner provided by that instrument, and not by a strained construction of the Constitution, which shall obliterate all State rights and vest the coveted, but not granted, power where it will be exercised by the General Government.

The VICE-PRESIDENT. The resolutions will lie on the table, at the request of the Senator from Maryland [Mr. WHYTE].

#### POWER TO REGULATE COMMERCE.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to consider and report to the Senate at the earliest convenient date whether the Congress in the exercise of the power to regulate commerce with foreign nations and among the several States and with the Indian tribes, can, in its opinion, constitutionally prohibit the transportation of commodities from the State in which they were produced to other States, or to other countries, because the same were produced in whole or in part by child labor.

#### EXECUTIVE FUNCTIONS AND RESERVED STATE RIGHTS.

Mr. RAYNER. I offer resolutions, which I ask may be read and lie upon the table.

The resolutions were read, as follows:

*Resolved*, That in the opinion of the Senate the functions of the Executive should be limited to the performance of the duties assigned to him by the Constitution and by the laws passed in pursuance thereof; and there should be no interference by the Executive with the legislative or judicial departments of the Government or with the reserved rights of the States; and the legislative, judicial, and executive departments of the Government should be forever kept separate and distinct; and

*Resolved further*, That the States have no authority to surrender any of their reserved rights under the Constitution to the Federal Government.

The VICE-PRESIDENT. The resolutions will lie on the table, at the request of the Senator from Maryland [Mr. RAYNER].

#### INTERNATIONAL HARVESTER COMPANY.

Mr. HANSBROUGH submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Department of Commerce and Labor is hereby directed to make an early investigation into the character and operation and the effect upon interstate commerce of the combination or trust organization known as the "International Harvester Company" and allied concerns engaged in the production, handling, and sale of farm machinery; the investigation to include an inquiry as to whether the prices and output of such machinery appear to be or to have been controlled and regulated by direction of any particular individual or combination of individuals, by a corporation, or otherwise; whether there exists at present a healthy competition between local dealers in farm machinery, and whether the quality of the same is on the average as good as in former years.

## REPORT ON REVISION OF THE LAWS.

The VICE-PRESIDENT. The Chair lays before the Senate the final report of the Commission to Revise the Laws of the United States, to which he invites the attention of the Senator from Oregon [Mr. FULTON].

Mr. FULTON. I assume that ordinarily such a report would go to the standing Committee on the Revision of the Laws of the United States, but at the last session of Congress a special joint committee was created to report upon the revision of the laws as made by the Commission. I suggest that this report had probably better be referred to that committee, and, if in order, I ask that it may be so referred.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the report will be referred to the special committee indicated by him. Does the Senator desire the report printed? The Chair will state that it is submitted in printed form.

Mr. FULTON. No, Mr. President, in view of that fact, I think it will not be necessary to order a reprint.

The VICE-PRESIDENT. In the absence of objection, the report will be referred, as indicated, without printing.

## PUBLIC LAND LAWS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

*To the Senate and House of Representatives:*

## PUBLIC LAND LAWS.

The developments of the past year emphasize with increasing force the need of vigorous and immediate action to recast the public land laws and adapt them to the actual situation. The Timber and Stone Act has demonstrated conclusively that its effect is to turn over the public timber lands to great corporations. It has done enormous harm, it is no longer needed, and it should be repealed.

The Desert Land Act results so frequently in fraud and so comparatively seldom in making homes on the land that it demands radical amendment. That provision which permits assignment before patent should be repealed, and the entryman should be required to live for not less than two years at home on the land before patent issues. Otherwise the Desert Land law will continue to assist speculators and other large holders to get control of land and water on the public domain by indefensible means.

The commutation clause of the Homestead Act serves, in a majority of cases, to defeat the purpose of the Homestead Act itself, which is to facilitate settlement and create homes. In theory the commutation clause should assist the honest settler, and doubtless in some cases it does so. Far more often, it supplies the means by which speculators and loan and mortgage companies secure possession of the land. Actual—not constructive—living at home on the land for three years should be required before commutation, unless it should appear wiser to repeal the commutation clause altogether.

These matters are more fully discussed in the Report of the Public Lands Commission, to which I again call your attention.

I am gravely concerned at the extremely unsatisfactory condition of the public land laws and at the prevalence of fraud under their present provisions. For much of this fraud the present laws are chiefly responsible. There is but one way by which the fraudulent acquisition of these lands can be definitely stopped; and therefore I have directed the Secretary of the Interior to allow no patent to be issued to public land under any law until by an examination on the ground actual compliance with that law has been found to exist. For this purpose an increase of special agents in the General Land Office is urgently required; unless it is given, bona fide would-be settlers will be put to grave inconvenience, or else the fraud will in large part go on. Further, the Secretary of the Interior should be enabled to employ enough mining experts to examine the validity of all mineral land claims, and to undertake the supervision and control of the use of the mineral fuels still belonging to the United States. The present coal law limiting the individual entry to 160 acres puts a premium on fraud by making it impossible to develop certain types of coal fields and yet comply with the law. It is a scandal to maintain laws which sound well, but which make fraud the key without which great natural resources must remain closed. The law should give individuals and corporations, under proper government regulation and control, (the details of which I shall not at present discuss) the right to work bodies of coal land large enough for profitable development. My own belief is that there should be provision for leasing coal, oil and gas rights under proper restrictions. If the additional force of special agents and mining experts I recommend is provided and well used, the result will be not only to stop the land frauds, but to prevent delays in patenting valid land claims, and to conserve the indispensable fuel resources of the Nation.

## RIGHTS OF WAY AND PRIVILEGES.

Many of the existing laws affecting rights of way and privileges on public lands and reservations are illogical and unfair. Some work injustice by granting valuable rights in perpetuity without return. Others fail to protect the grantee in his possession of permanent improvements made at large expense. In fairness to the Government, to the holders of rights and privileges on the public lands, and to the people whom the latter serve, I urge the revision and reenactment of these laws in one comprehensive act, providing that the regulations and the charge now in force in many cases may be extended to all, to the end that unregulated or monopolistic control of great natural resources may not be acquired or misused for private ends.

## PRIVATE HOLDINGS WITHIN NATIONAL FORESTS.

The boundaries of the national forest reserves unavoidably include certain valuable timber lands not owned by the Government. Important among them are the land grants of various railroads. For more than two years negotiations with the land grant railroads have been in progress, looking toward an arrangement by which the forest on railroad lands within national forest reserves may be preserved by the removal of the present crop of timber under rules prescribed by the Forest Service, and its perpetuation may be assured by the transfer of

the land to the Government without cost. The advantage of such an arrangement to the Government lies in the acquisition of lands whose protection is necessary to the general welfare. The advantage to the railroads is found in the proposal to allow them to consolidate their holdings of timber within forest reserves by exchange after deeding their lands to the Government, and thus to cut within a limited time solid bodies of timber instead of alternate sections, although the amount of timber in each case would be the same. It is possible that legislation will be required to authorize this or a similar arrangement with the railroads and other owners. If so I recommend that it be enacted.

## WORKING CAPITAL FOR THE NATIONAL FORESTS.

The money value of the national forests now reserved for the use and benefit of the people exceeds considerably the sum of one thousand millions of dollars. The stumpage value of the standing timber approaches seven hundred million dollars, and together with the range and timber lands, the water for irrigation and power, and the subsidiary values, reaches an amount equal to that of the national property now under the immediate control of the army and navy together. But this vast domain is withheld from serving the nation as freely and fully as it might by the lack of capital to develop it. The yearly running expenses are sufficiently met by the annual appropriation and the proceeds of the forests. Under the care of the Forest Service the latter are increasing at the rate of more than half a million dollars a year; the estimate of appropriation for the present year is less than for last year; and it is confidently expected that by 1910 the Forest Service will be entirely self-supporting. In the meantime there is the most urgent need for trails, fences, cabins for the rangers, bridges, telephone lines, and the other items of equipment without which the reserves can not be handled to advantage, can not be protected properly, and can not contribute as they should to the general welfare. Expenditures for such permanent improvements are properly chargeable to capital account. The lack of reasonable working equipment weakens the protection of the national forests and greatly limits their production. This want can not be supplied from the appropriation for running expenses. The need is urgent. Accordingly I recommend that the Secretary of the Treasury be authorized to advance to the Forest Service, upon the security of the standing timber, an amount say \$5,000,000, sufficient to provide a reasonable working capital for the national forests, to bear interest and to be repaid in annual installments beginning in ten years.

## TRANSFER OF THE NATIONAL PARKS.

The national parks of the West are forested and they lie without exception within or adjacent to national forest reserves. Two years ago the latter were transferred to the care of the Secretary of Agriculture, with the most satisfactory results. The same reasons which led to this transfer make advisable a similar transfer of the national parks, now in charge of the Secretary of the Interior, and I recommend legislation to that end.

## INDIAN LANDS.

Within or adjoining national forests are considerable areas of Indian lands of more value under forest than for any other purpose. It would aid greatly in putting these lands to their best use if the power to create national forests by proclamation were extended to cover them. The Indians should be paid the full value of any land thus taken for public purposes, from the proceeds of the lands themselves, but such land should revert to the Indians if it is excluded from national forest use before full payment has been made.

## GOVERNMENT CONTROL OF GRAZING.

The control of grazing in the national forests is an assured success. The condition of the range is improving rapidly, water is being developed, much feed formerly wasted is now saved and used, range controversies are settled, opposition to the grazing fee is practically at an end, and the stockmen are earnestly supporting the Forest Service and cooperating with it effectively for the improvement of the range.

The situation on the open Government range is strikingly different. Its carrying capacity has probably been reduced one-half by overgrazing, and is still falling. Range controversies in many places are active and bitter, and life and property are often in danger. The interests both of the live-stock industry and of the Government are needlessly impaired. The present situation is indefensible from any point of view, and it should be ended.

I recommend that a bill be enacted which will provide for Government control of the public range through the Department of Agriculture, which alone is equipped for that work. Such a bill should insure to each locality rules for grazing specially adapted to its needs and should authorize the collection of a reasonable grazing fee. Above all the rights of the settler and homemaker should be absolutely guaranteed.

Much of the public land can only be used to advantage for grazing when fenced. Much fencing has been done for that reason, and also to prevent other stock owners from using land to which they have an equal right under the law. Reasonable fencing which promotes the use of the range and yet interferes neither with settlement nor with other range rights, would be thoroughly desirable if it were legal. Yet the law forbids it, and the law must and will be enforced; I will see to it that the illegal fences are removed unless Congress, at the present session, takes steps to legalize proper fencing by government control of the range.

THEODORE ROOSEVELT.

THE WHITE HOUSE, December 17, 1906.

Mr. HEYBURN. I would ask, if it be proper to do so, that that message be printed and lie upon the table, subject to be called up for consideration. I desire at a proper time to submit some remarks upon it.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Idaho? The Chair hears none, and it is so ordered.

## PERSONNEL OF THE NAVY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers and illustrations, referred to the Committee on Naval Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

In my last three annual messages I have invited the attention of the Congress to the urgent necessity of such legislation as will cause officers



of the line of the Navy to reach the grades of captain and rear-admiral at less advanced ages and will give them more experience and training in the important duties of those grades. Under the present archaic system of promotion, without parallel in the navy of any other first-class power, captains are commissioned at the average age of fifty-six and rear-admirals at the average age of sixty. This system is the result of a long-continued prejudice in favor of a method of promotion by which all lieutenants in order of seniority pass through the several grades until they eventually become rear-admirals; a method which sacrifices the good of the service to the interest of individual mediocrity. As a direct consequence of the existing method naval officers obtain more than ample service in subordinate positions, but have a limited and inadequate experience as captains in command of battle ships and as flag officers in charge of fleets and squadrons; that is, in the very positions of greatest responsibility, where experience, skill, and initiative are essential to efficiency. Moreover, they attain the position of a flag officer but a few months before they reach the retiring age and have no opportunity to perfect themselves in the important duties of the high commands pertaining to such rank.

History, modern and ancient, has invariably shown that an efficient personnel is the greatest factor toward an effective navy. No matter how well equipped in other respects a navy may be, though its fleet may be composed of powerful high-speed battle ships, maneuvered by complicated tactics based upon the latest development of naval science, yet it is grievously handicapped if directed by admirals and captains who lack experience in their duties and who are hampered by long deprivation of independent action and responsibility. To oppose such a fleet to one equally good, led by officers more active and more experienced in their duties, is to invite disaster.

The following table gives the ages of the youngest captains and flag officers, with the average years in grade, in the navies of Great Britain, France, Germany, Japan, and the United States:

	Captains.		Seagoing flag officers.	
	Age.	Average years in grade.	Age.	Average years in grade.
Great Britain .....	35	11.2	45	8.0
France .....	47	9.5	53	14.2
Germany .....	42	6.2	51	6.0
Japan .....	38	8.0	44	11.0
United States .....	55	4.5	59	1.5

The facts shown in this table are startling, and earnest attention is invited to them.

The Secretary of the Navy several months ago convened a board of six representative line officers with the Assistant Secretary of the Navy as President, to consider and recommend such changes in existing law relative to the commissioned personnel of the line of the navy as would tend to promote efficiency and economy. The essential recommendations of the board have been cordially approved by the Secretary. The bill, herewith transmitted to the Congress, has been formulated by the Secretary and is based, except in a few details, upon the recommendations of the board. I earnestly recommend its early consideration. Should it be enacted into law it will cause officers on the seagoing list to reach the grade of captain at forty-eight and rear-admiral at fifty-five, and will assure their serving seven years in the grade of captain and seven years in the grade of rear-admiral, thus enabling them to become thoroughly skillful and efficient in these grades.

The accompanying bill also establishes the grade of vice-admiral. This grade has long existed in all other principal navies of the world in order to obtain a selected grade of skilled commanders-in-chief. The commander-in-chief of a fleet, with one or more rear-admirals serving under him, is logically entitled to a higher rank than his subordinates, because of his greater authority and responsibility. On occasions of official importance, of international council, or of combined naval action (as for instance the Boxer troubles in China), the interests of this great nation demand that our naval representative shall rank as the equal of the naval representatives of other powers.

Moreover, under the accompanying bill, which is the result of recommendations made by a board principally composed of naval officers, a large percentage of the officers are eliminated from the seagoing list and never reach the grade of rear-admiral. When it is considered that the naval officers themselves recommended, in order to increase the efficiency of their service, that many be denied their existing privilege of reaching flag rank, it is only just to them that we should place their highest officers on a plane of equal rank with their colleagues of other nations, with whom they are so frequently brought in official contact.

If the proposed plan of promotion is carried out, it will, as compared with existing law, make a saving of more than \$5,000,000 during the next seven years. The principal part of this saving is made by stopping the voluntary retirement of young lieutenant-commanders with the rank and pay of commanders upon the retired list.

I am firmly of the opinion that unless the present condition of the higher commissioned personnel is rectified by judicious legislation, the future of our navy will be gravely compromised.

I forward herewith a letter of the Secretary of the Navy, inclosing duplicate drafts of the proposed bill. I also forward a copy of the report of the Personnel Board of the Navy.

THE WHITE HOUSE, December 17, 1906.

THEODORE ROOSEVELT.

#### THE PANAMA CANAL.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

In the month of November I visited the Isthmus of Panama, going over the Canal Zone with considerable care; and also visited the cities of Panama and Colon, which are not in the Zone or under the United States flag, but as to which the United States Government, through its agents, exercises control for certain sanitary purposes.

The U. S. S. *Louisiana*, on which I was, anchored off Colon

about half past 2 on Wednesday afternoon, November 14. I came aboard her, after my stay on shore, at about half past 9 on Saturday evening, November 17. On Wednesday afternoon and evening I received the President of Panama and his suite, and saw members of the Canal Commission, and various other gentlemen, perfecting the arrangement for my visit, so that every hour that I was ashore could be employed to advantage. I was three days ashore—not a sufficient length of time to allow of an exhaustive investigation of the minutiae of the work of any single department, still less to pass judgment on the engineering problems, but enough to enable me to get a clear idea of the salient features of the great work and of the progress that has been made as regards the sanitation of the Zone, Colon, and Panama, the caring for and housing of the employees, and the actual digging of the canal. The Zone is a narrow strip of land, and it can be inspected much as one can inspect 50 or 60 miles of a great railroad at the point where it runs through mountains or overcomes other natural obstacles.

I chose the month of November for my visit partly because it is the rainiest month of the year, the month in which the work goes forward at the greatest disadvantage, and one of the two months which the medical department of the French Canal Company found most unhealthy.

Immediately after anchoring on the afternoon of Wednesday there was a violent storm of wind and rain. From that time we did not again see the sun until Saturday morning, the rain continuing almost steadily, but varying from a fine drizzle to a torrential downpour. During that time in fifteen minutes at Cristobal 1.05 inches of rain fell; from 1 to 3 a. m., November 16, 3.2 inches fell; for the twenty-four hours ending noon, November 16, 4.68 inches fell, and for the six days ending noon, November 16, 10.24 inches fell. The Chagres rose in flood to a greater height than it had attained during the last fifteen years, tearing out the track in one place. It would have been impossible to see the work going on under more unfavorable weather conditions. On Saturday, November 17, the sun shone now and then for a few minutes, although the day was generally overcast and there were heavy showers at intervals.

#### FIRST DAY ASHORE.

On Thursday morning we landed at about half past seven and went slowly over the line of the Panama Railway, ending with an expedition in a tug at the Pacific entrance of the canal out to the islands where the dredging for the canal will cease. We took our dinner at one of the eating houses furnished by the Commission for the use of the Government employees—no warning of our coming being given. I inspected the Ancon Hospital, going through various wards both for white patients and for colored patients. I inspected portions of the constabulary (Zone police), examining the men individually. I also examined certain of the schools and saw the school children, both white and colored, speaking with certain of the teachers. In the afternoon of this day I was formally received in Panama by President Amador, who, together with the Government and all the people of Panama, treated me with the most considerate courtesy, for which I hereby extend my most earnest thanks. I was driven through Panama and in a public square was formally received and welcomed by the President and other members of the Government; and in the evening I attended a dinner given by the President, and a reception, which was also a Government function. I also drove through the streets of Panama for the purpose of observing what had been done. We slept at the Hotel Tivoli, at Ancon, which is on a hill directly outside of the city of Panama, but in the Zone.

#### SECOND DAY.

On Friday morning we left the hotel at 7 o'clock and spent the entire day going through the Culebra cut—the spot in which most work will have to be done in any event. We watched the different steam shovels working; we saw the drilling and blasting; we saw many of the dirt trains (of the two different types used), both carrying the earth away from the steam shovels and depositing it on the dumps—some of the dumps being run out in the jungle merely to get rid of the earth, while in other cases they are being used for double tracking the railway, and in preparing to build the great dams. I visited many of the different villages, inspecting thoroughly many different buildings—the local receiving hospitals, the houses in which the unmarried white workmen live, those in which the unmarried colored workmen live; also the quarters of the white married employees and of the married colored employees; as well as the commissary stores, the bath houses, the water-closets, the cook sheds for the colored laborers, and the Government canteens, or hotels, at which most of the white employees take their meals. I went through the machine shops. During the



day I talked with scores of different men—superintendents and heads of departments, divisions, and bureaus; steam-shovel men, machinists, conductors, engineers, clerks, wives of the American employees, health officers, colored laborers, colored attendants, and managers of the commissary stores where food is sold to the colored laborers; wives of the colored employees who are married. In the evening I had an interview with the British consul, Mr. Mallet, a gentleman who for many years has well and honorably represented the British Government on the Isthmus of Panama and who has a peculiar relation to our work because the bulk of the colored laborers come from the British West Indies. I also saw the French consul, Mr. Gey, a gentleman of equally long service and honorable record. I saw the lieutenants, the chief executive and administrative officers, under the engineering and sanitary departments. I also saw and had long talks with two deputations—one of machinists and one representing the railway men of the dirt trains—listening to what they had to say as to the rate of pay and various other matters and going over, as much in detail as possible, all the different questions they brought up. As to some matters I was able to meet their wishes, as to others I felt that what they requested could not be done consistently with my duty to the United States Government as a whole; as to yet others I reserved judgment.

#### THIRD DAY.

On Saturday morning we started at 8 o'clock from the hotel. We went through the Culebra cut, stopping off to see the marines, and also to investigate certain towns; one, of white employees, as to which in certain respects complaint had been made to me; and another town where I wanted to see certain houses of the colored employees. We went over the site of the proposed Gatun dam, having on the first day inspected the sites of the proposed La Boca and Sosa dams. We went out on a little toy railway to the reservoir, which had been built to supply the people of Colon with water for their houses. There we took lunch at the engineers' mess. We then went through the stores and shops of Cristobal, inspecting carefully the houses of both the white and colored employees, married and unmarried, together with the other buildings. We then went to Colon and saw the fire department at work; in four minutes from the signal the engines had come down to Front street, and twenty-one 2½-inch hose pipes were raising streams of water about 75 feet high. We rode about Colon, through the various streets, paved, unpaved, and in process of paving, looking at the ditches, sewers, curbing, and the lights. I then went over the Colon hospital in order to compare it with the temporary town or field receiving hospitals which I had already seen and inspected. I also inspected some of the dwellings of the employees. In the evening I attended a reception given by the American employees on the Isthmus, which took place on one of the docks in Colon, and from there went aboard the *Louisiana*.

Each day from twelve to eighteen hours were spent in going over and inspecting all there was to be seen and in examining various employees. Throughout my trip I was accompanied by the Surgeon-General of the Navy, Doctor Rixey; by the Chairman of the Isthmian Canal Commission, Mr. Shonts; by Chief Engineer Stevens; by Doctor Gorgas, the chief sanitary officer of the Commission; by Mr. Bishop, the Secretary of the Commission; by Mr. Ripley, the Principal Assistant Engineer; by Mr. Jackson Smith, who has had practical charge of collecting and handling the laboring force; by Mr. Bierd, general manager of the railway, and by Mr. Rogers, the general counsel of the Commission; and many other officials joined us from time to time.

At the outset I wish to pay a tribute to the amount of work done by the French Canal Company under very difficult circumstances. Many of the buildings they put up were excellent and are still in use, though, naturally, the houses are now getting out of repair and are being used as dwellings only until other houses can be built, and much of the work they did in the Culebra cut, and some of the work they did in digging has been of direct and real benefit. This country has never made a better investment than the \$40,000,000 which it paid to the French Company for work and betterments, including especially the Panama Railroad.

An inspection on the ground at the height of the rainy season served to convince me of the wisdom of Congress in refusing to adopt either a high-level or a sea-level canal. There seems to be a universal agreement among all people competent to judge that the Panama route, the one actually chosen, is much superior to both the Nicaragua and Darien routes.

#### PRELIMINARY WORK BEING DONE.

The wisdom of the canal management has been shown in nothing more clearly than in the way in which the foundations of

the work have been laid. To have yielded to the natural impatience of ill-informed outsiders and begun all kinds of experiments in work prior to a thorough sanitation of the Isthmus, and to a fairly satisfactory working out of the problem of getting and keeping a sufficient labor supply, would have been disastrous. The various preliminary measures had to be taken first; and these could not be taken so as to allow us to begin the real work of construction prior to January 1 of the present year. It then became necessary to have the type of the canal decided, and the only delay has been the necessary delay until the 29th day of June, the date when the Congress definitely and wisely settled that we should have an 85-foot level canal. Immediately after that the work began in hard earnest and has been continued with increasing vigor ever since; and it will continue so to progress in the future. When the contracts are let the conditions will be such as to insure a constantly increasing amount of performance.

#### SUCCESSFUL SANITATION.

The first great problem to be solved, upon the solution of which the success of the rest of the work depended, was the problem of sanitation. This was from the outset under the direction of Dr. W. C. Gorgas, who is to be made a full member of the Commission, if the law as to the composition of the Commission remains unchanged. It must be remembered that his work was not mere sanitation as the term is understood in our ordinary municipal work. Throughout the Zone and in the two cities of Panama and Colon, in addition to the sanitation work proper, he has had to do all the work that the Marine-Hospital Service does as regards the Nation, that the health department officers do in the various States and cities, and that Colonel Waring did in New York when he cleaned its streets. The results have been astounding. The Isthmus had been a byword for deadly unhealthfulness. Now, after two years of our occupation the conditions as regards sickness and the death rate compare favorably with reasonably healthy localities in the United States. Especial care has been devoted to minimizing the risk due to the presence of those species of mosquitoes which have been found to propagate malarial and yellow fevers. In all the settlements, the little temporary towns or cities composed of the white and black employees, which grow up here and there in the tropic jungle as the needs of the work dictate, the utmost care is exercised to keep the conditions healthy. Everywhere are to be seen the drainage ditches which in removing the water have removed the breeding places of the mosquitoes, while the whole jungle is cut away for a considerable space around the habitations, thus destroying the places in which the mosquitoes take shelter. These drainage ditches and clearings are in evidence in every settlement, and, together with the invariable presence of mosquito screens around the piazzas, and of mosquito doors to the houses, not to speak of the careful fumigation that has gone on in all infected houses, doubtless explain the extraordinary absence of mosquitoes. As a matter of fact, but a single mosquito, and this not of the dangerous species, was seen by any member of our party during my three days on the Isthmus. Equal care is taken by the inspectors of the health department to secure cleanliness in the houses and proper hygienic conditions of every kind. I inspected between twenty and thirty water-closets, both those used by the white employees and those used by the colored laborers. In almost every case I found the conditions perfect. In but one case did I find them really bad. In this case, affecting a settlement of unmarried white employees, I found them very bad indeed, but the buildings were all inherited from the French Company and were being used temporarily while other buildings were in the course of construction; and right near the defective water-closet a new and excellent closet with a good sewer pipe was in process of construction and nearly finished. Nevertheless this did not excuse the fact that the bad condition had been allowed to prevail. Temporary accommodations, even if only such as soldiers use when camped in the field, should have been provided. Orders to this effect were issued. I append the report of Doctor Gorgas on the incident. I was struck, however, by the fact that in this instance, as in almost every other where a complaint was made which proved to have any justification whatever, it appeared that steps had already been taken to remedy the evil complained of, and that the trouble was mainly due to the extreme difficulty, and often impossibility, of providing in every place for the constant increase in the numbers of employees. Generally the provision is made in advance, but it is not possible that this should always be the case; when it is not there ensues a period of time during which the conditions are unsatisfactory, until a remedy can be provided; but I never found a case where the remedy was not being provided as speedily as possible.



## HOSPITALS AND THEIR TREATMENT.

I inspected the large hospitals at Ancon and Colon, which are excellent examples of what tropical hospitals should be. I also inspected the receiving hospitals in various settlements. I went through a number of the wards in which the colored men are treated, a number of those in which the white men are treated—Americans and Spaniards. Both white men and black men are treated exactly alike, and their treatment is as good as that which could be obtained in our first-class hospitals at home. All the patients that I saw, with one or two exceptions, were laborers or other employees on the canal works and railways, most of them being colored men of the ordinary laborer stamp. Not only are the men carefully cared for whenever they apply for care, but so far as practicable a watch is kept to see that if they need it they are sent to the hospitals, whether they desire to go or not. From no responsible source did any complaint come to me as to the management of the hospital service, although occasionally a very ignorant West India negro when he is first brought into the hospital becomes frightened by the ordinary hospital routine.

## HEALTH SHOWING REMARKABLY GOOD.

Just at present the health showing on the Isthmus is remarkably good—so much better than in most sections of the United States that I do not believe that it can possibly continue at quite its present average. Thus, early in the present year a band of several hundred Spaniards were brought to the Isthmus as laborers, and additions to their number have been made from time to time; yet since their arrival in February last but one of those Spaniards thus brought over to work on the canal has died of disease, and he of typhoid fever. Two others were killed, one in a railroad accident, and one by a dynamite explosion. There has been for the last six months a well-nigh steady decline in the death rate for the population of the Zone, this being largely due to the decrease in deaths from pneumonia, which has been the most fatal disease on the Isthmus. In October there were ninety-nine deaths of every kind among the employees of the Isthmus. There were then on the rolls 5,500 whites, seven-eighths of them being Americans. Of these whites but two died of disease, and as it happened neither man was an American. Of the 6,000 white Americans, including some 1,200 women and children, not a single death has occurred in the past three months, whereas in an average city in the United States the number of deaths for a similar number of people in that time would have been about thirty from disease. This very remarkable showing can not of course permanently obtain, but it certainly goes to prove that if good care is taken the Isthmus is not a particularly unhealthy place. In October, of the 19,000 negroes on the roll 86 died from disease; pneumonia being the most destructive disease, and malarial fever coming second. The difficulty of exercising a thorough supervision over the colored laborers is of course greater than is the case among the whites, and they are also less competent to take care of themselves, which accounts for the fact that their death rate is so much higher than that of the whites, in spite of the fact that they have been used to similar climatic conditions. Even among the colored employees it will be seen that the death rate is not high.

## DIMINUTION OF MOSQUITOES.

In Panama and Colon the death rate has also been greatly reduced, this being directly due to the vigorous work of the special brigade of employees who have been inspecting houses where the *stegomyia* mosquito is to be found, and destroying its larvae and breeding places, and doing similar work in exterminating the malarial mosquitoes—in short, in performing all kinds of hygienic labor. A little over a year ago all kinds of mosquitoes, including the two fatal species, were numerous about the Culebra cut. In this cut during last October every room of every house was carefully examined, and only two mosquitoes, neither of them of the two fatal species, were found. Unflinching energy in inspection and in disinfecting and in the work of draining and of clearing brush are responsible for the change. I append Doctor Gorgas's report on the health conditions; also a letter from Surgeon-General Rixey to Doctor Gorgas. The Surgeon-General reported to me that the hygienic conditions on the Isthmus were about as good as, for instance, those in the Norfolk Navy-Yard.

Corozal, some 4 miles from La Boca, was formerly one of the most unsanitary places on the Isthmus, probably the most unsanitary. There was a marsh with a pond in the middle. Doctor Gorgas had both the marsh and pond drained and the brush cleared off, so that now, when I went over the ground, it appeared like a smooth meadow intersected by drainage ditches. The breeding places and sheltering spots of the dangerous mosquitoes had been completely destroyed. The result is that

Corozal for the last six months (like La Boca, which formerly also had a very unsanitary record), shows one of the best sick rates in the Zone, having less than 1 per cent a week admitted to the hospital. At Corozal there is a big hotel filled with employees of the Isthmian Canal Commission, some of them with their wives and families. Yet this healthy and attractive spot was stigmatized as a "hog wallow" by one of the least scrupulous and most foolish of the professional scandal-mongers who from time to time have written about the Commission's work.

## IMPROVEMENTS IN PANAMA AND COLON.

The sanitation work in the cities of Panama and Colon has been just as important as in the Zone itself, and in many respects much more difficult; because it was necessary to deal with the already existing population, which naturally had scant sympathy with revolutionary changes, the value of which they were for a long time not able to perceive. In Colon the population consists largely of colored laborers who, having come over from the West Indies to work on the canal, abandon the work and either take to the brush or lie idle in Colon itself; thus peopling Colon with the least desirable among the imported laborers, for the good and steady men of course continue at the work. Yet astonishing progress has been made in both cities. In Panama 90 per cent of the streets that are to be paved at all are already paved with an excellent brick pavement laid in heavy concrete, a few of the streets being still in process of paving. The sewer and water services in the city are of the most modern hygienic type, some of the service having just been completed.

In Colon the conditions are peculiar, and it is as regards Colon that most of the very bitter complaint has been made. Colon is built on a low coral island, covered at more or less shallow depths with vegetable accumulations or mold, which affords sustenance and strength to many varieties of low-lying tropical plants. One-half of the surface of the island is covered with water at high tide, the average height of the land being 1½ feet above low tide. The slight undulations furnish shallow, natural reservoirs or fresh-water breeding places for every variety of mosquito, and the ground tends to be lowest in the middle. When the town was originally built no attempt was made to fill the low ground, either in the streets or on the building sites, so that the entire surface was practically a quagmire; when the quagmire became impassable certain of the streets were crudely improved by filling especially bad mud holes with soft rock or other material. In September, 1905, a systematic effort was begun to formulate a general plan for the proper sanitation of the city; in February last temporary relief measures were taken, while in July the prosecution of the work was begun in good earnest. The results are already visible in the sewerage, draining, guttering and paving of the streets. Some four months will be required before the work of sewerage and street improvement will be completed, but the progress already made is very marked. Ditches have been dug through the town, connecting the salt water on both sides, and into these the ponds, which have served as breeding places for the mosquitoes, are drained. These ditches have answered their purpose, for they are probably the chief cause of the astonishing diminution in the number of mosquitoes. More ditches of the kind are being constructed.

## COLON WATER SUPPLY.

It was not practicable, with the force at the Commission's disposal, and in view of the need that the force should be used in the larger town of Panama, to begin this work before early last winter. Water mains were then laid in the town and water was furnished to the people early in March from a temporary reservoir. This reservoir proved to be of insufficient capacity before the end of the dry season and the shortage was made up by hauling water over the Panama railroad, so that there was at all times an ample supply of the very best water. Since that time the new reservoir back of Mount Hope has been practically completed. I visited this reservoir. It is a lake over a mile long and half a mile broad. It now carries some 500,000,000 gallons of first-class water. I forward herewith a photograph of this lake, together with certain other photographs of what I saw while I was on the Isthmus. Nothing but a cataclysm will hereafter render it necessary in the dry season to haul water for the use of Colon and Cristobal.

One of the most amusing (as well as dishonest) attacks made upon the Commission was in connection with this reservoir. The writer in question usually confined himself to vague general mendacity; but in this case he specifically stated that there was no water in the vicinity fit for a reservoir (I drank it, and it was excellent), and that this particular reservoir would never hold water anyway. Accompanying this message, as I have said above, is a photograph of the reservoir as I myself saw it, and

as it has been in existence ever since the article in question was published. With typical American humor, the engineering corps still at work at the reservoir have christened a large boat which is now used on the reservoir by the name of the individual who thus denied the possibility of the reservoir's existence.

#### COLON PAVEMENTS.

I rode through the streets of Colon, seeing them at the height of the rainy season, after two days of almost unexampled down-pour, when they were at their very worst. Taken as a whole they were undoubtedly very bad; as bad as Pennsylvania avenue in Washington before Grant's Administration. Front street is already in thoroughly satisfactory shape however. Some of the side streets are also in good condition. In others the change in the streets is rapidly going on. Through three-fourths of the town it is now possible to walk, even during the period of tremendous rain, in low shoes without wetting one's feet, owing to the rapidity with which the surface water is carried away in the ditches. In the remaining one-fourth of the streets the mud is very deep—about as deep as in the ordinary street of a low-lying prairie river town of the same size in the United States during early spring. All men to whom I spoke were a unit in saying that the conditions of the Colon streets were 100 per cent better than a year ago. The most superficial examination of the town shows the progress that has been made and is being made in macadamizing the streets. Complaint was made to me by an entirely reputable man as to the character of some of the material used for repairing certain streets. On investigation the complaint proved well founded, but it also appeared that the use of the material in question had been abandoned, the Commission after having tried it in one or two streets finding it not appropriate.

#### COMPLAINTS NOT WELL FOUNDED.

The result of the investigation of this honest complaint was typical of what occurred when I investigated most of the other honest complaints made to me. That is, where the complaints were not made wantonly or maliciously, they almost always proved due to failure to appreciate the fact that time was necessary in the creation and completion of this Titanic work in a tropic wilderness. It is impossible to avoid some mistakes in building a giant canal through jungle-covered mountains and swamps, while at the same time sanitating tropic cities, and providing for the feeding and general care of from twenty to thirty thousand workers. The complaints brought to me, either of insufficient provision in caring for some of the laborers, or of failure to finish the pavements of Colon, or of failure to supply water, or of failure to build wooden sidewalks for the use of the laborers in the rainy season, on investigation proved, almost without exception, to be due merely to the utter inability of the Commission to do everything at once.

For instance, it was imperative that Panama, which had the highest death rate and where the chance of a yellow fever epidemic was strongest, should be cared for first; yet most of the complaints as to the delay in taking care of Colon were due to the inability or unwillingness to appreciate this simple fact. Again, as the thousands of laborers are brought over and housed, it is not always possible at the outset to supply wooden walks and bath houses, because other more vital necessities have to be met; and in consequence, while most of the settlements have good bath houses, and, to a large extent at least, wooden walks, there are plenty of settlements where wooden walks have not yet been laid down, and I visited one where the bath houses have not been provided. But in this very settlement the frames of the bath houses are already up, and in every case the utmost effort is being made to provide the wooden walks. Of course, in some of the newest camps tents are used pending the building of houses. Where possible, I think detached houses would be preferable to the semidetached houses now in general use.

#### UNJUST CRITICISM.

Care and forethought have been exercised by the Commission, and nothing has reflected more credit upon them than their refusal either to go ahead too fast or to be deterred by the fear of criticism from not going ahead fast enough. It is curious to note the fact that many of the most severe critics of the Commission criticize them for precisely opposite reasons, some complaining bitterly that the work is not in a more advanced condition, while the others complain that it has been rushed with such haste that there has been insufficient preparation for the hygiene and comfort of the employees. As a matter of fact neither criticism is just. It would have been impossible to go quicker than the Commission has gone, for such quickness would have meant insufficient preparation. On the other hand, to refuse to do anything until every possible future contingency had been met would have caused wholly unwarranted delay. The right course to follow was exactly the course which has been

followed. Every reasonable preparation was made in advance, the hygienic conditions in especial being made as nearly perfect as possible; while on the other hand there has been no timid refusal to push forward the work because of inability to anticipate every possible emergency, for, of course, many defects can only be shown by the working of the system in actual practice.

In addition to attending to the health of the employees, it is of course necessary to provide for policing the Zone. This is done by a police force which at present numbers over 200 men, under Captain Shanton. About one-fifth of the men are white and the others black. In different places I questioned some twenty or thirty of these men, taking them at random. They were a fine set, physically and in discipline. With one exception all the white men I questioned had served in the American Army, usually in the Philippines, and belonged to the best type of American soldier. Without exception the black policemen whom I questioned had served either in the British army or in the Jamaica or Barbados police. They were evidently contented, and were doing their work well. Where possible the policemen are used to control people of their own color, but in any emergency no hesitation is felt in using them indiscriminately.

Inasmuch as so many both of the white and colored employees have brought their families with them, schools have been established, the school service being under Mr. O'Connor. For the white pupils white American teachers are employed; for the colored pupils there are also some white American teachers, one Spanish teacher, and one colored American teacher, most of them being colored teachers from Jamaica, Barbados, and St. Lucia. The schoolrooms were good, and it was a pleasant thing to see the pride that the teachers were taking in their work and their pupils.

There seemed to me to be too many saloons in the Zone; but the new high-license law which goes into effect on January 1 next will probably close four-fifths of them. Resolute and successful efforts are being made to minimize and control the sale of liquor.

The cars on the passenger trains on the Isthmus are divided into first and second class, the difference being marked in the price of tickets. As a rule second-class passengers are colored and first-class passengers white; but in every train which I saw there were a number of white second-class passengers, and on two of them there were colored first-class passengers.

#### CARE OF EMPLOYEES.

Next in importance to the problem of sanitation, and indeed now of equal importance, is the problem of securing and caring for the mechanics, laborers, and other employees who actually do the work on the canal and the railroad. This great task has been under the control of Mr. Jackson Smith, and on the whole has been well done. At present there are some 6,000 white employees and some 19,000 colored employees on the Isthmus. I went over the different places where the different kinds of employees were working; I think I saw representatives of every type both at their work and in their homes; and I conversed with probably a couple of hundred of them all told, choosing them at random from every class and including those who came especially to present certain grievances. I found that those who did not come specifically to present grievances almost invariably expressed far greater content and satisfaction with the conditions than did those who called to make complaint.

Nearly 5,000 of the white employees had come from the United States. No man can see these young, vigorous men energetically doing their duty without a thrill of pride in them as Americans. They represent on the average a high class. Doubtless to Congress the wages paid them will seem high, but as a matter of fact the only general complaint which I found had any real basis among the complaints made to me upon the Isthmus was that, owing to the peculiar surroundings, the cost of living, and the distance from home, the wages were really not as high as they should be. In fact, almost every man I spoke to felt that he ought to be receiving more money—a view, however, which the average man who stays at home in the United States probably likewise holds as regards himself. I append figures of the wages paid, so that the Congress can judge the matter for itself. Later I shall confer on the subject with certain representative labor men here in the United States, as well as going over with Mr. Stevens, the comparative wages paid on the Zone and at home; and I may then communicate my findings to the canal committees of the two Houses.

#### QUARTERS GOOD AND SATISFACTORY.

The white Americans are employed, some of them in office work, but the majority in handling the great steam shovels, as engineers and conductors on the dirt trains, as machinists in the great repair shops, as carpenters and timekeepers, superintendents, and foremen of divisions and of gangs, and so on and so on. Many of them have brought down their wives and



families; and the children when not in school are running about and behaving precisely as the American small boy and small girl behave at home. The bachelors among the employees live, sometimes in small separate houses, sometimes in large houses; quarters being furnished free to all the men, married and unmarried. Usually the bachelors sleep two in a room, as they would do in this country. I found a few cases where three were in a room; and I was told of, although I did not see, large rooms in which four were sleeping; for it is not possible in what is really a vast system of construction camps always to provide in advance as ample house room as the Commission intend later to give. In one case, where the house was an old French house with a leak in the roof, I did not think the accommodations were good. But in every other case among the scores of houses I entered at random, the accommodations were good; every room was neat and clean, usually having books, magazines, and small ornaments; and in short just such a room as a self-respecting craftsman would be glad to live in at home. The quarters for the married people were even better. Doubtless there must be here and there a married couple who, with or without reason, are not contented with their house on the Isthmus; but I never happened to strike such a couple. The wives of the steam-shovel men, engineers, machinists, and carpenters into whose houses I went, all with one accord expressed their pleasure in their home life and surroundings. Indeed I do not think they could have done otherwise. The houses themselves were excellent—bathroom, sitting room, piazza, and bedrooms being all that could be desired. In every house which I happened to enter the mistress of the home was evidently a good American housewife and helpmeet, who had given to the home life that touch of attractiveness which, of course, the bachelor quarters neither had nor could have.

#### FOOD SUPPLIES—A THIRTY-CENT MEAL.

The housewives purchase their supplies directly, or through their husbands, from the commissary stores of the Commission. All to whom I spoke agreed that the supplies were excellent, and all but two stated that there was no complaint to be made; these two complained that the prices were excessive as compared to the prices in the States. On investigation I did not feel that this complaint was well founded. The married men ate at home. The unmarried men sometimes ate at private boarding houses, or private messes, but more often, judging by the answers of those whom I questioned, at the government canteens or hotels where the meal costs 30 cents to each employee. This 30-cent meal struck me as being as good a meal as we get in the United States at the ordinary hotel in which a 50-cent meal is provided. Three-fourths of the men whom I questioned stated that the meals furnished at these government hotels were good, the remaining one-fourth that they were not good. I myself took dinner at the La Boca government hotel, no warning whatever having been given of my coming. There were two rooms, as generally in these hotels. In one the employees were allowed to dine without their coats, while in the other they had to put them on. The 30-cent meal included soup, native beef (which was good), mashed potatoes, peas, beets, chili con carne, plum pudding, tea, coffee—each man having as much of each dish as he desired. On the table there was a bottle of liquid quinine tonic, which two-thirds of the guests, as I was informed, used every day. There were neat tablecloths and napkins. The men, who were taking the meal at or about the same time, included railroad men, machinists, shipwrights, and members of the office force. The rooms were clean, comfortable, and airy, with mosquito screens around the outer piazza. I was informed by some of those present that this hotel, and also the other similar hotels, were every Saturday night turned into clubhouses where the American officials, the school-teachers, and various employees, appeared, bringing their wives, there being dancing and singing. There was a piano in the room, which I was informed was used for the music on these occasions. My meal was excellent, and two newspaper correspondents who had been on the Isthmus several days informed me that it was precisely like the meals they had been getting elsewhere at other Government hotels. One of the employees was a cousin of one of the Secret-Service men who was with me, and he stated that the meals had always been good, but that after a time he grew tired of them because they seemed so much alike.

#### NO CAUSE FOR COMPLAINT ABOUT FOOD.

I came to the conclusion that, speaking generally, there was no warrant for complaint about the food. Doubtless it grows monotonous after awhile. Any man accustomed to handling large masses of men knows that some of them, even though otherwise very good men, are sure to grumble about something, and usually about their food. Schoolboys, college boys, and boarders

in boarding houses make similar complaints; so do soldiers and sailors. On this very trip, on one of the warships, a seaman came to complain to the second watch officer about the quality of the cocoa at the seamen's mess, saying that it was not sweet enough; it was pointed out to him that there was sugar on the table and he could always put it in, to which he responded that that was the cook's business and not his! I think that the complaint as to the food on the Isthmus has but little more foundation than that of the sailor in question. Moreover, I was given to understand that one real cause of complaint was that at the Government hotels no liquor is served, and some of the drinking men, therefore, refused to go to them. The number of men using the Government hotels is steadily increasing.

#### CHINESE AND OTHER LABOR.

Of the nineteen or twenty thousand day laborers employed on the canal, a few hundred are Spaniards. These do excellent work. Their foremen told me that they did twice as well as the West India laborers. They keep healthy and no difficulty is experienced with them in any way. Some Italian laborers are also employed in connection with the drilling. As might be expected, with labor as high priced as at present in the United States, it has not so far proved practicable to get any ordinary laborers from the United States. The American wage-workers on the Isthmus are the highly paid skilled mechanics of the types mentioned previously. A steady effort is being made to secure Italians, and especially to procure more Spaniards, because of the very satisfactory results that have come from their employment; and their numbers will be increased as far as possible. It has not proved possible, however, to get them in anything like the numbers needed for the work, and from present appearances we shall in the main have to rely, for the ordinary unskilled work, partly upon colored laborers from the West Indies, partly upon Chinese labor. It certainly ought to be unnecessary to point out that the American workingman in the United States has no concern whatever in the question as to whether the rough work on the Isthmus, which is performed by aliens in any event, is done by aliens from one country with a black skin or by aliens from another country with a yellow skin. Our business is to dig the canal as efficiently and as quickly as possible; provided always that nothing is done that is inhumane to any laborers, and nothing that interferes with the wages of or lowers the standard of living of our own workmen. Having in view this principle, I have arranged to try several thousand Chinese laborers. This is desirable both because we must try to find out what laborers are most efficient, and, furthermore, because we should not leave ourselves at the mercy of any one type of foreign labor. At present the great bulk of the unskilled labor on the Isthmus is done by West India negroes, chiefly from Jamaica, Barbados, and the other English possessions. One of the governors of the lands in question has shown an unfriendly disposition to our work, and has thrown obstacles in the way of our getting the labor needed; and it is highly undesirable to give any outsiders the impression, however ill founded, that they are indispensable and can dictate terms to us.

#### NEGRO LABORERS AND THEIR QUARTERS.

The West India laborers are fairly, but only fairly, satisfactory. Some of the men do very well indeed; the better class, who are to be found as foremen, as skilled mechanics, as policemen, are good men; and many of the ordinary day laborers are also good. But thousands of those who are brought over under contract (at our expense) go off into the jungle to live, or loaf around Colon, or work so badly after the first three or four days as to cause a serious diminution of the amount of labor performed on Friday and Saturday of each week. I questioned many of these Jamaica laborers as to the conditions of their work and what, if any changes, they wished. I received many complaints from them, but as regards most of these complaints they themselves contradicted one another. In all cases where the complaint was as to their treatment by any individual it proved on examination that this individual was himself a West India man of color, either a policeman, a storekeeper, or an assistant storekeeper. Doubtless there must be many complaints against Americans; but those to whom I spoke did not happen to make any such complaint to me. There was no complaint of the housing; I saw but one set of quarters for colored laborers which I thought poor, and this was in an old French house. The barracks for unmarried men are roomy, well ventilated, and clean, with canvas bunks for each man, and a kind of false attic at the top, where the trunks and other belongings of the different men are kept. The clothes are hung on clotheslines, nothing being allowed to be kept on the floor. In each of these big rooms there were tables and lamps, and usually a few books or papers, and in almost every room there was a Bible; the books being the property of the laborers them-

selves. The cleanliness of the quarters is secured by daily inspection. The quarters for the married negro laborers were good. They were neatly kept, and in almost every case the men living in them, whose wives or daughters did the cooking for them, were far better satisfied and of a higher grade than the ordinary bachelor negroes. Not only were the quarters in which these negro laborers were living much superior to those in which I am informed they live at home, but they were much superior to the huts to be seen in the jungles of Panama itself, beside the railroad tracks, in which the lower class of native Panamanians live, as well as the negro workmen when they leave the employ of the canal and go into the jungles. A single glance at the two sets of buildings is enough to show the great superiority in point of comfort, cleanliness, and healthfulness of the Government houses as compared with the native houses.

#### NEGROES DO THEIR OWN COOKING.

The negroes generally do their own cooking, the bachelors cooking in sheds provided by the Government and using their own pots. In the different camps there was a wide variation in the character of these cooking sheds. In some, where the camps were completed, the kitchen or cooking sheds, as well as the bathrooms and water-closets, were all in excellent trim, while there were board sidewalks leading from building to building. In other camps the kitchens or cook sheds had not been floored, and the sidewalks had not been put down, while in one camp the bath houses were not yet up. In each case, however, every effort was being made to hurry on the construction, and I do not believe that the delays had been greater than were inevitable in such work. The laborers are accustomed to do their own cooking; but there was much complaint, especially among the bachelors, as to the quantity, and some as to the quality, of the food they got from the commissary department, especially as regards yams. On the other hand, the married men and their wives, and the more advanced among the bachelors, almost invariably expressed themselves as entirely satisfied with their treatment at the commissary stores; except that they stated that they generally could not get yams there, and had to purchase them outside. The chief complaint was that the prices were too high. It is unavoidable that the prices should be higher than in their own homes; and after careful investigation I came to the conclusion that the chief trouble lay in the fact that the yams, plantains, and the like are rather perishable food, and are very bulky compared to the amount of nourishment they contain, so that it is costly to import them in large quantities and difficult to keep them. Nevertheless, I felt that an effort should be made to secure them a more ample supply of their favorite food, and so directed; and I believe that ultimately the Government must itself feed them. I am having this matter looked into.

The superintendent having immediate charge of one gang of men at the Colon reservoir stated that he endeavored to get them to substitute beans and other nourishing food for the stringy, watery yams, because the men keep their strength and health better on the more nourishing food. Inasmuch, however, as they are accustomed to yams it is difficult to get them to eat the more strengthening food, and some time elapses before they grow accustomed to it. At this reservoir there has been a curious experience. It is off in the jungle by itself at the end of a couple of miles of a little toy railroad. In order to get the laborers there, they were given free food (and of course free lodgings); and yet it proved difficult to keep them, because they wished to be where they could reach the dramshop and places of amusement.

I was struck by the superior comfort and respectability of the lives of the married men. It would, in my opinion, be a most admirable thing if a much larger number of the men had their wives, for with their advent all complaints about food and cooking are almost sure to cease.

I had an interview with Mr. Mallet, the British consul, to find out if there was any just cause for complaint as to the treatment of the West India negroes. He informed me most emphatically that there was not, and authorized me to give his statement publicity. He said that not only was the condition of the laborers far better than had been the case under the old French Company, but that year by year the condition was improving under our own régime. He stated that complaints were continually brought to him, and that he always investigated them; and that for the last six months he had failed to find a single complaint of a serious nature that contained any justification whatever.

#### RECREATION AND AMUSEMENT.

One of the greatest needs at present is to provide amusements both for the white men and the black. The Young Men's Christian Association is trying to do good work and should be in every way encouraged. But the Government should do the main

work. I have specifically called the attention of the Commission to this matter, and something has been accomplished already. Anything done for the welfare of the men adds to their efficiency and money devoted to that purpose is therefore properly to be considered as spent in building the canal. It is imperatively necessary to provide ample recreation and amusement if the men are to be kept well and healthy. I call the special attention of Congress to this need.

This gathering, distributing, and caring for the great force of laborers is one of the giant features of the work. That friction will from time to time occur in connection therewith is inevitable. The astonishing thing is that the work has been performed so well and that the machinery runs so smoothly. From my own experience I am able to say that more care had been exercised in housing, feeding, and generally paying heed to the needs of the skilled mechanics and ordinary laborers in the work on this canal than is the case in the construction of new railroads or in any other similar private or public work in the United States proper; and it is the testimony of all people competent to speak that on no other similar work anywhere in the Tropics—indeed, as far as I know, anywhere else—has there been such forethought and such success achieved in providing for the needs of the men who do the work.

I have now dealt with the hygienic conditions which make it possible to employ a great force of laborers, and with the task of gathering, housing, and feeding these laborers. There remains to consider the actual work which has to be done; the work because of which these laborers are gathered together—the work of constructing the canal. This is under the direct control of the Chief Engineer, Mr. Stevens, who has already shown admirable results, and whom we can safely trust to achieve similar results in the future.

#### WORK OF CONSTRUCTION.

Our people found on the Isthmus a certain amount of old French material and equipment which could be used. Some of it, in addition, could be sold as scrap iron. Some could be used for furnishing the foundation for filling in. For much no possible use could be devised that would not cost more than it would bring in.

The work is now going on with a vigor and efficiency pleasant to witness. The three big problems of the canal are the La Boca dams, the Gatun dam, and the Culebra cut. The Culebra cut must be made, anyway; but of course changes as to the dams, or at least as to the locks adjacent to the dams, may still occur. The La Boca dams offer no particular problem, the bottom material being so good that there is a practical certainty, not merely as to what can be achieved, but as to the time of achievement. The Gatun dam offers the most serious problem which we have to solve; and yet the ablest men on the Isthmus believe that this problem is certain of solution along the lines proposed; although, of course, it necessitates great toil, energy, and intelligence, and although equally, of course, there will be some little risk in connection with the work. If the huge earth dam now contemplated is thrown across from one foothill to the other we will have what is practically a low, broad, mountain ridge behind which will rise the inland lake. This artificial mountain will probably show less seepage, that is, will have greater restraining capacity than the average natural mountain range. The exact locality of the locks at this dam—as at the other dams—is now being determined. In April next Secretary Taft, with three of the ablest engineers of the country—Messrs. Noble, Stearns, and Ripley—will visit the Isthmus, and the three engineers will make the final and conclusive examinations as to the exact site for each lock. Meanwhile the work is going ahead without a break.

The Culebra cut does not offer such great risks; that is, the damage liable to occur from occasional land slips will not represent what may be called major disasters. The work will merely call for intelligence, perseverance, and executive capacity. It is, however, the work upon which most labor will have to be spent. The dams will be composed of the earth taken out of the cut and very possibly the building of the locks and dams will take even longer than the cutting in Culebra itself.

#### IN CULEBRA CUT.

The main work is now being done in the Culebra cut. It was striking and impressive to see the huge steam shovels in full play, the dumping trains carrying away the rock and earth they dislodged. The implements of French excavating machinery, which often stand a little way from the line of work, though of excellent construction, look like the veriest toys when compared with these new steam shovels, just as the French dumping cars seem like toy cars when compared with the long train of huge cars, dumped by steam plows, which are now in use. This represents the enormous advance that has been made in machinery during the past quarter of a century. No doubt a quarter of a



century hence this new machinery, of which we are now so proud, will similarly seem out of date, but it is certainly serving its purpose well now. The old French cars had to be entirely discarded. We still have in use a few of the more modern, but not most modern, cars, which hold but 12 yards of earth. They can be employed on certain lines with sharp curves. But the recent cars hold from 25 to 30 yards apiece, and instead of the old clumsy methods of unloading them, a steam plow is drawn from end to end of the whole vestibuled train, thus immensely economizing labor. In the rainy season the steam shovels can do but little in dirt, but they work steadily in rock and in the harder ground. There were some 25 at work during the time I was on the Isthmus, and their tremendous power and efficiency were most impressive.

#### NEW RECORDS FOR EXCAVATION.

As soon as the type of canal was decided this work began in good earnest. The rainy season will shortly be over and then there will be an immense increase in the amount taken out; but even during the last three months, in the rainy season, steady progress is shown by the figures: In August, 242,000 cubic yards; in September, 291,000 cubic yards, and in October, 325,000 cubic yards. In October new records were established for the output of individual shovels as well as for the tonnage haul of individual locomotives. I hope to see the growth of a healthy spirit of emulation between the different shovel and locomotive crews, just such a spirit as has grown on our battle ships between the different gun crews in matters of marksmanship. Passing through the cut the amount of new work can be seen at a glance. In one place the entire side of a hill had been taken out recently by 27 tons of dynamite, which were exploded at one blast. At another place I was given a Presidential salute of 21 charges of dynamite. On the top notch of the Culebra cut the prism is now as wide as it will be; all told, the canal bed at this point has now been sunk about 200 feet below what it originally was. It will have to be sunk about 130 feet farther. Throughout the cut the drilling, blasting, shoveling, and hauling are going on with constantly increasing energy, the huge shovels being pressed up, as if they were mountain howitzers, into the most unlikely looking places, where they eat their way into the hillsides.

#### RAILWAY IMPROVEMENTS.

The most advanced methods, not only in construction, but in railroad management, have been applied in the Zone, with corresponding economies in time and cost. This has been shown in the handling of the tonnage from ships into cars, and from cars into ships on the Panama Railroad, where, thanks largely to the efficiency of General Manager Blerd, the saving in time and cost, has been noteworthy. My examination tended to show that some of the departments had (doubtless necessarily) become overdeveloped, and could now be reduced or subordinated without impairment of efficiency and with a saving of cost. The Chairman of the Commission, Mr. Shonts, has all matters of this kind constantly in view, and is now reorganizing the government of the Zone, so as to make the form of administration both more flexible and less expensive, subordinating everything to direct efficiency with a view to the work of the Canal Commission. From time to time changes of this kind will undoubtedly have to be made, for it must be remembered that in this giant work of construction, it is continually necessary to develop departments or bureaus, which are vital for the time being, but which soon become useless; just as it will be continually necessary to put up buildings, and even to erect towns, which in ten years will once more give place to jungle, or will then be at the bottom of the great lakes at the ends of the canal.

#### CRITICS AND DOUBTING THOMASES.

It is not only natural, but inevitable, that a work as gigantic as this which has been undertaken on the Isthmus should arouse every species of hostility and criticism. The conditions are so new and so trying, and the work so vast, that it would be absolutely out of the question that mistakes should not be made. Cheeks will occur. Unforeseen difficulties will arise. From time to time seemingly well-settled plans will have to be changed. At present 25,000 men are engaged on the task. After a while the number will be doubled. In such a multitude it is inevitable that there should be here and there a scoundrel. Very many of the poorer class of laborers lack the mental development to protect themselves against either the rascality of others or their own folly, and it is not possible for human wisdom to devise a plan by which they can invariably be protected. In a place which has been for ages a byword for unhealthfulness, and with so large a congregation of strangers suddenly put down and set to hard work there will now and then be outbreaks of disease. There will now and then be shortcomings in administration; there will be unlooked-for acci-

dents to delay the excavation of the cut or the building of the dams and locks. Each such incident will be entirely natural, and, even though serious, no one of them will mean more than a little extra delay or trouble. Yet each, when discovered by sensation mongers and retailed to timid folk of little faith, will serve as an excuse for the belief that the whole work is being badly managed. Experiments will continually be tried in housing, in hygiene, in street repairing, in dredging, and in digging earth and rock. Now and then an experiment will be a failure; and among those who hear of it, a certain proportion of doubting Thomases will at once believe that the whole work is a failure. Doubtless here and there some minor rascality will be uncovered; but as to this, I have to say that after the most painstaking inquiry I have been unable to find a single reputable person who has so much as heard of any serious accusations affecting the honesty of the Commission or of any responsible officer under it. I append a letter dealing with the most serious charge, that of the ownership of lots in Colon; the charge was not advanced by a reputable man, and is utterly baseless. It is not too much to say that the whole atmosphere of the Commission breathes honesty as it breathes efficiency and energy. Above all, the work has been kept absolutely clear of politics. I have never heard even a suggestion of spoils politics in connection with it.

I have investigated every complaint brought to me for which there seemed to be any shadow of foundation. In two or three cases, all of which I have indicated in the course of this message, I came to the conclusion that there was foundation for the complaint, and that the methods of the Commission in the respect complained of could be bettered. In the other instances the complaints proved absolutely baseless, save in two or three instances where they referred to mistakes which the Commission had already itself found out and corrected.

#### SLANDERERS AND LIBELERS.

So much for honest criticism. There remains an immense amount of as reckless slander as has ever been published. Where the slanderers are of foreign origin I have no concern with them. Where they are Americans, I feel for them the heartiest contempt and indignation; because, in a spirit of wanton dishonesty and malice, they are trying to interfere with, and hamper the execution of, the greatest work of the kind ever attempted, and are seeking to bring to naught the efforts of their countrymen to put to the credit of America one of the giant feats of the ages. The outrageous accusations of these slanderers constitute a gross libel upon a body of public servants who, for trained intelligence, expert ability, high character and devotion to duty, have never been excelled anywhere. There is not a man among those directing the work on the Isthmus who has obtained his position on any other basis than merit alone, and not one who has used his position in any way for his own personal or pecuniary advantage.

#### PLAN TO BUILD BY CONTRACT.

After most careful consideration we have decided to let out most of the work by contract, if we can come to satisfactory terms with the contractors. The whole work is of a kind suited to the peculiar genius of our people; and our people have developed the type of contractor best fitted to grapple with it. It is of course much better to do the work in large part by contract than to do it all by the Government, provided it is possible on the one hand to secure to the contractor a sufficient remuneration to make it worth while for responsible contractors of the best kind to undertake the work; and provided on the other hand it can be done on terms which will not give an excessive profit to the contractor at the expense of the Government. After much consideration the plan already promulgated by the Secretary of War was adopted. This plan in its essential features was drafted, after careful and thorough study and consideration, by the Chief Engineer, Mr. Stevens, who, while in the employment of Mr. Hill, the president of the Great Northern Railroad, had personal experience of this very type of contract. Mr. Stevens then submitted the plan to the Chairman of the Commission, Mr. Shonts, who went carefully over it with Mr. Rogers, the legal adviser of the Commission, to see that all legal difficulties were met. He then submitted copies of the plan to both Secretary Taft and myself. Secretary Taft submitted it to some of the best counsel at the New York bar, and afterwards I went over it very carefully with Mr. Taft and Mr. Shonts, and we laid the plan in its general features before Mr. Root. My conclusion is that it combines the maximum of advantage with the minimum of disadvantage. Under it a premium will be put upon the speedy and economical construction of the canal, and a penalty imposed on delay and waste. The plan as promulgated is tentative; doubtless it will have to be changed in some respects before we can come to a satisfactory agreement with

responsible contractors—perhaps even after the bids have been received; and of course it is possible that we can not come to an agreement, in which case the Government will do the work itself. Meanwhile the work on the Isthmus is progressing steadily and without any let up.

#### A SINGLE COMMISSIONER DESIRED.

A seven-headed commission is of course a clumsy executive instrument. We should have but one commissioner, with such heads of departments and other officers under him as we may find necessary. We should be expressly permitted to employ the best engineers in the country as consulting engineers.

I accompany this paper with a map showing substantially what the canal will be like when it is finished. When the Cullebra cut has been made and the dams built (if they are built as at present proposed) there will then be at both the Pacific and Atlantic ends of the canal, two great fresh-water lakes, connected by a broad channel running at the bottom of a ravine, across the backbone of the Western Hemisphere. Those best informed believe that the work will be completed in about eight years; but it is never safe to prophesy about such a work as this, especially in the Tropics.

I am informed that representatives of the commercial clubs of four cities—Boston, Chicago, Cincinnati, and St. Louis—the membership of which includes most of the leading business men of those cities, expect to visit the Isthmus for the purpose of examining the work of construction of the canal. I am glad to hear it, and I shall direct that every facility be given them to see all that is to be seen in the work which the Government is doing. Such interest as a visit like this would indicate will have a good effect upon the men who are doing the work, on one hand, while on the other hand it will offer as witnesses of the exact conditions men whose experience as business men and whose impartiality will make the result of their observations of value to the country as a whole.

#### CONFIDENT OF ULTIMATE SUCCESS.

Of the success of the enterprise I am as well convinced as one can be of any enterprise that is human. It is a stupendous work upon which our fellow-countrymen are engaged down there on the Isthmus, and while we should hold them to a strict accountability for the way in which they perform it, we should yet recognize, with frank generosity, the epic nature of the task on which they are engaged and its world-wide importance. They are doing something which will redound immeasurably to the credit of America, which will benefit all the world, and which will last for ages to come. Under Mr. Shonts and Mr. Stevens and Doctor Gorgas this work has started with every omen of good fortune. They and their worthy associates, from the highest to the lowest, are entitled to the same credit that we would give to the picked men of a victorious army; for this conquest of peace will, in its great and far-reaching effect, stand as among the very greatest conquests, whether of peace or of war, which have ever been won by any of the peoples of mankind. A badge is to be given to every American citizen who for a specified time has taken part in this work; for participation in it will hereafter be held to reflect honor upon the man participating just as it reflects honor upon a soldier to have belonged to a mighty army in a great war for righteousness. Our fellow-countrymen on the Isthmus are working for our interest and for the national renown in the same spirit and with the same efficiency that the men of the Army and Navy work in time of war. It behooves us in our turn to do all we can to hold up their hands and to aid them in every way to bring their great work to a triumphant conclusion.

THEODORE ROOSEVELT.

THE WHITE HOUSE, December 17, 1906.

The VICE-PRESIDENT. The message, together with the accompanying appendices, illustrations, and maps, will be printed and referred to the Committee on Inter-oceanic Canals.

Mr. KEAN. Mr. President, does that include the illustrations?

The VICE-PRESIDENT. The Chair so directed.

Mr. KEAN. Are the illustrations to be printed in the RECORD?

The VICE-PRESIDENT. Not in the RECORD. The message, with the accompanying appendices, illustrations, and maps, will be printed and referred, in the absence of objection, to the Committee on Inter-oceanic Canals.

Mr. ALDRICH. May I inquire what was the statement made by the Chair?

The VICE-PRESIDENT. The Chair will again state the direction, which was that the message, together with the accompanying appendices, illustrations, and maps, will be printed, and referred to the Committee on Inter-oceanic Canals. Is there objection? The Chair hears none, and that order is made.

Mr. ALDRICH. But what goes into the RECORD, Mr. President?

The VICE-PRESIDENT. The Chair directed nothing to go into the RECORD. The message has been read, and that portion which was read will go into the RECORD.

Mr. KEAN. Mr. President, I should like to ask a question. Are the illustrations contained in the message to be printed in the RECORD?

The VICE-PRESIDENT. No; there has been no order to that effect.

#### EMPLOYERS' LIABILITY BILL.

During the reading of the President's message concerning the Panama Canal,

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon.

Mr. LA FOLLETTE. I ask unanimous consent that the unfinished business be laid aside temporarily.

The VICE-PRESIDENT. The Senator from Wisconsin asks unanimous consent that the unfinished business be laid aside temporarily. Is there objection? The Chair hears none, and it is so ordered.

After the reading and reference of the President's message,

#### HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on Commerce:

H. R. 19523. An act to authorize Thomas J. Ewing and George B. Patton, of Catlettsburg, Ky.; Otto Burger, of Cincinnati, Ohio; Herbert Haynard, of Kenova, W. Va., and Charles Miller, of Huntington, W. Va., to construct a bridge across the Tug Fork of the Big Sandy River;

H. R. 20988. An act to amend an act entitled "An act to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania," approved February 21, 1903; and

H. J. Res. 196. Joint resolution relating to the construction of a bridge at Fort Snelling, Minn.

The following bills were severally read twice by their titles, and referred to the Committee on Appropriations:

H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes; and

H. R. 22584. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1907, and for other purposes.

H. R. 21678. An act to provide for the extension of time within which homestead settlers may establish their residence upon certain lands which were heretofore a part of the Crow Indian Reservation, within the counties of Yellowstone and Rosebud, in the State of Montana, was read twice by its title, and referred to the Committee on Public Lands.

#### PAY OF OFFICERS AND EMPLOYEES.

The VICE-PRESIDENT laid before the Senate the joint resolution (H. J. Res. 203) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the 20th day of said month; which was read the first time by its title.

Mr. HALE. Mr. President, that is the customary joint resolution, and I ask that it may be considered at this time.

The VICE-PRESIDENT. The joint resolution will be read at length.

The joint resolution was read the second time at length, as follows:

*Resolved, etc.,* That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1906, on the 20th day of said month.

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

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

#### EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After nine minutes spent



in executive session the doors were reopened, and (at 2 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 18, 1906, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate December 17, 1906.*

##### COLLECTORS OF CUSTOMS.

J. Rice Winchell, of Connecticut, to be collector of customs for the district of New Haven, in the State of Connecticut. (Reappointment.)

Fred C. Cubberly, of Florida, to be collector of customs for the district of St. Marks, in the State of Florida. (Reappointment.)

John W. Howell, of Florida, to be collector of customs for the district of Fernandina, in the State of Florida. (Reappointment.)

A. Lincoln Dryden, of Maryland, to be collector of customs for the eastern district, in the State of Maryland, to succeed James C. Tawes, whose term will expire by limitation on January 9, 1907.

##### PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Second Lieut. Henry Granville Fisher to be a first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from November 4, 1906, in place of William Vans Edmondson Jacobs, promoted.

Second Lieut. Ernest Eugene Mead to be a first lieutenant in the Revenue-Cutter Service of the United States, to rank as such from October 1, 1906, in place of First Lieut. James Mahool Moore, promoted.

##### PROMOTION IN THE NAVY.

Lieut. Commander Frank M. Bennett to be a commander in the Navy from the 2d day of November, 1906, vice Commander Albert Mertz, promoted.

##### PROMOTION IN THE MARINE CORPS.

Second Lieut. Benjamin S. Berry to be a first lieutenant in the Marine Corps from the 29th day of November, 1906, vice First Lieut. John W. McClaskey, retired.

##### REGISTERS OF LAND OFFICES.

Andrew W. Swaney, of Montana, to be register of the land office at Kalispell, Mont., his term having expired April 30, 1906. (Reappointment.)

George S. Curtis, of Leadville, Colo., to be register of the land office at Leadville, Colo., vice Joseph A. Measures, resigned.

##### POSTMASTERS.

###### ARKANSAS.

William C. Bill to be postmaster at Ozark, in the county of Franklin and State of Arkansas, in place of William C. Bill. Incumbent's commission expires January 22, 1907.

John A. Dudgeon to be postmaster at Cornig, in the county of Clay and State of Arkansas, in place of John A. Dudgeon. Incumbent's commission expires January 22, 1907.

###### GEORGIA.

J. F. Renfro to be postmaster at Wrightsville, in the county of Johnson and State of Georgia, in place of Beverly B. Hayes, resigned.

###### ILLINOIS.

Silas H. Aldridge to be postmaster at Plymouth, in the county of Hancock and State of Illinois, in place of Silas H. Aldridge. Incumbent's commission expires January 22, 1907.

Joseph H. Coffman to be postmaster at Augusta, in the county of Hancock and State of Illinois, in place of Joseph H. Coffman. Incumbent's commission expires January 22, 1907.

John C. Loudon to be postmaster at Lebanon, in the county of St. Clair and State of Illinois, in place of John C. Loudon. Incumbent's commission expired December 10, 1906.

###### INDIANA.

William H. Burris to be postmaster at Milford, in the county of Kosciusko and State of Indiana, in place of William H. Burris. Incumbent's commission expires January 19, 1907.

###### IOWA.

Arthur S. Burdick to be postmaster at Postville, in the county of Allamakee and State of Iowa, in place of Arthur S. Burdick. Incumbent's commission expired January 28, 1906.

Daniel P. Ellsworth to be postmaster at Lohrville, in the county of Calhoun and State of Iowa, in place of Daniel P. Ellsworth. Incumbent's commission expires January 7, 1907.

Hiram Lamb to be postmaster at Murray, in the county of Clarke and State of Iowa, in place of Hiram Lamb. Incumbent's commission expires January 14, 1907.

William R. Orchard to be postmaster at Glidden, in the county of Carroll and State of Iowa, in place of William R. Orchard. Incumbent's commission expires January 7, 1907.

Olive L. Stauffer to be postmaster at Gladbrook, in the county of Tama and State of Iowa, in place of Olive L. Stauffer. Incumbent's commission expired June 2, 1906.

###### KANSAS.

Harvey S. Givler to be postmaster at Wakeeney, in the county of Trego and State of Kansas, in place of Harvey S. Givler. Incumbent's commission expired December 10, 1906.

###### KENTUCKY.

Clarence Mathews to be postmaster at Maysville, in the county of Mason and State of Kentucky, in place of Clarence Mathews. Incumbent's commission expired February 28, 1906.

###### MARYLAND.

Charles F. Peters to be postmaster at Western Port, in the county of Allegany and State of Maryland. Office became Presidential October 1, 1906.

###### MASSACHUSETTS.

Marcus M. Copeland, jr., to be postmaster at Onset, in the county of Plymouth and State of Massachusetts. Office became Presidential July 1, 1906.

John W. Fairbanks to be postmaster at Westboro, in the county of Worcester and State of Massachusetts, in place of John W. Fairbanks. Incumbent's commission expires January 7, 1907.

Martin Hickey to be postmaster at Grafton, in the county of Worcester and State of Massachusetts, in place of Martin Hickey. Incumbent's commission expired December 9, 1906.

Edward B. Sherman to be postmaster at Franklin, in the county of Norfolk and State of Massachusetts, in place of Edward B. Sherman. Incumbent's commission expires January 19, 1907.

###### MICHIGAN.

Timothy Smith to be postmaster at Howell, in the county of Livingston and State of Michigan, in place of Timothy Smith. Incumbent's commission expired December 10, 1906.

###### MISSOURI.

John W. Scott to be postmaster at Moberly, in the county of Randolph and State of Missouri, in place of John W. Scott. Incumbent's commission expired December 10, 1906.

###### NEBRASKA.

Edward L. Howe to be postmaster at South Omaha, in the county of Douglas and State of Nebraska, in place of Frederick J. Etter, deceased.

###### NEW JERSEY.

John W. Dooling to be postmaster at Clayton, in the county of Gloucester and State of New Jersey, in place of John W. Dooling. Incumbent's commission expired December 9, 1906.

William C. Fink to be postmaster at Hudson Heights, in the county of Hudson and State of New Jersey. Office became Presidential October 1, 1906.

###### NEW YORK.

John Raines, jr., to be postmaster at Canandaigua, in the county of Ontario and State of New York, in place of John Raines, jr. Incumbent's commission expires January 7, 1907.

Homer E. Snyder to be postmaster at Victor, in the county of Ontario and State of New York, in place of George Simonds. Incumbent's commission expired December 15, 1906.

###### OHIO.

Charles T. La Cost to be postmaster at Bryan, in the county of Williams and State of Ohio, in place of Charles T. La Cost. Incumbent's commission expired June 30, 1906.

###### RHODE ISLAND.

Albert C. Landers to be postmaster at Newport, in the county of Newport and State of Rhode Island, in place of Albert C. Landers. Incumbent's commission expired December 9, 1906.

###### SOUTH CAROLINA.

J. Frank Kneee to be postmaster at Batesburg, in the county of Lexington and State of South Carolina, in place of J. Frank Kneee. Incumbent's commission expires January 22, 1907.

###### TEXAS.

Carrie E. Hoke to be postmaster at Taylor, in the county of Williamson and State of Texas, in place of Carrie E. Hoke. Incumbent's commission expired June 27, 1906.

###### WISCONSIN.

Herman O. E. Diestler to be postmaster at Hortonville, in the county of Outagamie and State of Wisconsin. Office became Presidential October 1, 1906.

#### WITHDRAWALS.

*Executive nominations withdrawn from the Senate December 17, 1906.*

Thomas Ives Chatfield, of New York, to be United States district judge for the eastern district of New York, in the place of

Edward B. Thomas, which nomination was received by the Senate on December 10, 1906. (The nomination of Mr. Chatfield, received by the Senate on December 13, 1906, being a substitute for this one withdrawn.)

O. K. Paddock to be postmaster at South Omaha, in the State of Nebraska.

George W. Cowen to be postmaster at Lincoln, in the State of New Hampshire.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 17, 1906.*

##### ASSISTANT ATTORNEY-GENERAL.

Alford W. Cooley, of New York, to be Assistant Attorney-General.

##### SURVEYOR OF CUSTOMS.

Benjamin H. Barrows, of Nebraska, to be surveyor of customs for the port of Omaha, in the State of Nebraska.

##### RECEIVERS OF PUBLIC MONEYS.

Alexander B. Kennedy, of Louisiana, to be receiver of public moneys at New Orleans, La., to take effect January 23, 1907.

Shields Warren, of Florida, to be receiver of public moneys at Gainesville, Fla.

##### PROMOTIONS IN THE ARMY.

*To be captain in Cavalry Arm.*

First Lieut. James D. Tilford, First Cavalry, from October 1, 1906.

*To be chaplain with rank of major in Artillery Corps.*

Capt. Patrick J. Hart, chaplain, Artillery Corps, to be chaplain with the rank of major from December 5, 1906.

##### POSTMASTERS.

###### CALIFORNIA.

Wellington A. Griffin to be postmaster at Mountain View, in the county of Santa Clara and State of California.

Helen C. Thompson to be postmaster at Stanford University, in the county of Santa Clara and State of California.

###### NEBRASKA.

Edmund L. Howe to be postmaster at South Omaha, in the State of Nebraska.

###### NEW JERSEY.

Samuel Bartlett to be postmaster at Pleasantville, in the county of Atlantic and State of New Jersey.

John W. Davis to be postmaster at Burlington, in the county of Burlington and State of New Jersey.

James Freeman to be postmaster at Arlington, in the county of Hudson and State of New Jersey.

Charles E. Stults to be postmaster at Hightstown, in the county of Mercer and State of New Jersey.

###### NEW YORK.

William Smith to be postmaster at Livingston Manor, in the county of Sullivan and State of New York.

### HOUSE OF REPRESENTATIVES.

*Monday, December 17, 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 Saturday was read and approved.

#### RESIGNATION FROM COMMITTEE.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., December 15, 1906.

To the SPEAKER,  
House of Representatives:

Having been appointed chairman of the Committee on Foreign Affairs, I hereby tender my resignation as chairman of the Committee on Expenditures in the Treasury Department and as a member thereof.

Yours, very truly,

ROBERT G. COUSINS.

The SPEAKER. Without objection, the resignation will be accepted.

#### COMMITTEE APPOINTMENTS.

The SPEAKER announced the following committee appointments.

The Clerk read as follows:

Representative WEEKS, chairman of Committee on Expenditures in the State Department.

Representative KNOPP, chairman of Committee on Expenditures in Treasury Department.

Representative REYNOLDS, member of Committee on Coinage, Weights, and Measures, and Committee on Expenditures in the State Department.

Representative MOORE, of Pennsylvania, member of Committee on Immigration and Naturalization, and Committee on Enrolled Bills.  
Representative BRUMM, member of Committee on Private Land Claims, and Committee on Expenditures on Public Buildings.  
Representative NELSON, member of the Committee on Pacific Railroads, and Committee on Expenditures in the State Department.  
Representative COUDREY, member of the Committee on Elections No. 2, and Committee on Levees and Improvements of the Mississippi River.

#### MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States, were communicated to the House of Representatives by Mr. LATTI, one of his secretaries.

#### POSTAL FRAUD ORDERS.

Mr. CRUMPACKER. Mr. Speaker, I move to suspend the rules and pass the resolution which I send to the Clerk's desk. The Clerk read as follows:

*Resolved*, That the bill (H. R. 16548) to provide for judicial review for orders excluding persons from the use of United States mail facilities shall have the same privilege for the remainder of the session as is accorded bills reported by committees having leave to report at any time.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. I demand a second, Mr. Speaker.

Mr. CRUMPACKER. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. CRUMPACKER. Mr. Speaker, the purpose of the resolution is to give the bill known as "the fraud-order bill" a privileged status on the Calendar, so that it can be called up and considered on its merits at any time. It is not a privileged bill, and this resolution gives it that status. It is the object of the promoters of the legislation, after the holiday recess, when opportunity affords, to call it up and thoroughly discuss it and have it considered by the House.

Mr. STAFFORD. Has the bill to which the gentleman refers been reported by the Judiciary Committee?

Mr. CRUMPACKER. It was reported unanimously by the Judiciary Committee after quite an extensive and exhaustive investigation of the subject.

Mr. STAFFORD. Had it been reported out of the committee when committees were called in order in the House last week and when the Committee on Judiciary had recognition?

Mr. CRUMPACKER. It had.

Mr. STAFFORD. Does the gentleman know why the bill was not then called up under the call of committees?

Mr. CRUMPACKER. I asked the chairman of the Committee on the Judiciary to call it up, and he gave me as a reason that he did not care to occupy the time, or something like that. I felt that it ought to have been called up, but I think Members who are interested in the question desire some time to discuss it and want it put where it can be given more time than it could be given under the call of committees.

Mr. STAFFORD. Does the gentleman's resolution make the bill privileged?

Mr. CRUMPACKER. The resolution makes the bill privileged—that is, it gives it a status on the Calendar of a privileged bill, which can be called up at any time when there is no other privileged matter before the House. That is the only object of the resolution.

Mr. PAYNE. Can the gentleman from Indiana state in a word what change the bill proposes to make in the existing law?

Mr. CRUMPACKER. I will as briefly as I can. Under the existing law the Postmaster-General has the power, where evidence is submitted to him which satisfies him that any person is using the mails for fraudulent purposes, to issue an order withholding or denying him the right to use the mails—that is, he issues what is known as a "fraud order," denying such person the use of the mails. This may be done under the law without any notice whatever to the party affected, without any opportunity to appear and resist the issuance of the order, and when the order is once issued the courts have decided that Congress having vested the discretion in the Postmaster-General, it is not subject to review in the courts.

It is the custom of the Postmaster-General, however, in most cases to have notice given to the parties and afford opportunities for them to present their defense. The chief evidence supplied to the Postmaster-General is in the form of confidential reports made by post-office inspectors, consisting of interviews with people throughout the country, men not under oath, not responsible criminally or civilly for anything they may say.

These reports are never accessible to the person who is accused of fraudulently using the mails; he has no opportunity to



see them at any time under any circumstances, and one against whom a fraud order is improvidently issued, issued upon a mistake of facts—is absolutely without a remedy. He is branded before the public as the perpetrator of fraud. His right to the mails is absolutely cut off, and he is without recourse because there is no appeal to the courts on the question of fact. Now, the purpose of this bill is to give men who desire it the right to go into the courts and have questions of fact and law reviewed. The Postmaster-General is required to keep a fraud-order record, and when he is satisfied that any individual is using the mails for fraudulent purposes, he is required to give him notice, and, within a certain time after notice is issued, if no objection is made, the fraud order goes as a matter of course, but, pending this, and in order to prevent men imposing on the people, in order to cut off the career of green-goods concerns and fly-by-night institutions and get-rich-quick schemes, the Postmaster-General may peremptorily order the mail to be impounded in the post-office where the individual or corporation receives mail, to be held there pending investigation; and if the individual wants to go into court, he may commence proceedings in the Federal court having jurisdiction of the postmaster, and have a summary investigation of the law and the facts. The purpose of the bill is to give men who feel that they have been wronged, that fraud orders have been issued against them on improper or imperfect proof, an opportunity to have the matter heard according to established procedure in the court; but pending the proceeding, the Postmaster-General can have the mails withheld in the post-office where they would be delivered indefinitely until the matter is determined.

Mr. PAYNE. Does the bill open up a way for any liability for damages on the part either of the Government or the Postmaster-General, or is it simply a mandamus proceeding?

Mr. CRUMPACKER. No; it does not open up any way for liability; it does not fix any additional responsibilities, and it does not create any basis for actions of a civil character or any other kind, excepting it undertakes to give the right to the individual against whom a fraud order is to be issued to go into a court of record and have the facts investigated upon evidence that is recognized in courts of law.

Mr. PAYNE. What remedy is proposed under the bill?

Mr. CRUMPACKER. The remedy I undertook to explain a moment ago is that the individual has the right to go into a court and commence proceedings to review the procedure for the order on the facts.

Mr. PAYNE. What judgment can he get on the facts? There must be some relief contemplated.

Mr. CRUMPACKER. Of course, the Postmaster-General can not make the fraud order final in proceedings of that kind until there is a judgment of the court upholding him, declaring that the conduct of the person to be affected by the order has been such as to justify the issuance of the order. Then the order will be made final in contested cases. If the court decides otherwise, then the order is not to be issued.

Mr. PAYNE. The gentleman is satisfied that the bill would not create any liability or open up the way for liability of a pecuniary nature on the part of the Postmaster-General or of the United States?

Mr. CRUMPACKER. I am satisfied of that.

Mr. HINSHAW. Does appeal lie from this judgment of the Federal court to the Court of Appeals?

Mr. CRUMPACKER. I should presume it would; like any other—that in any other proceeding.

Mr. HINSHAW. On the part of the Postmaster or the man who is injured?

Mr. CRUMPACKER. Yes.

Mr. HULL. In case of appeal the order of the Postmaster-General would be effective until the higher court had decided?

Mr. CRUMPACKER. Yes. There is no opportunity to defraud the Government. Mr. Speaker, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, before the gentleman sits down I would like to ask him a question. Has the bill which the gentleman has introduced, which is referred to in this resolution, the support of the Postmaster-General?

Mr. CRUMPACKER. I do not know.

Mr. STAFFORD. Was any hearing had before the committee as far as the gentleman knows? The gentleman will recognize that this matter is largely a matter that pertains to the regulation of postal affairs, rather than to matters that come within the purview of the Judiciary Committee.

Mr. CRUMPACKER. I want to save some of my time to close the debate. I submitted the bill to Mr. OVERSTREET, the chairman of the Committee on the Post-Office and Post-Roads—

Mr. STAFFORD. I will state to the gentleman that I will be pleased to yield him some of my time.

Mr. CRUMPACKER. I submitted the bill to Mr. OVERSTREET, and he said the bill ought to be passed. He has had experience enough to believe that the bill ought to pass, and all I am asking now is to give the bill a status on the Calendar, so it can be taken up on its merits.

Mr. DALZELL. What is the motion of the gentleman?

Mr. CRUMPACKER. The motion is to pass this resolution putting the bill on the Calendar as a privileged bill, so it can be taken up in the future and considered on its merits. I have not the time to go into the merits of the bill now, as it would take considerable time to debate it fully. I am simply asking now to have the bill put where the House can consider it, where it can be investigated and thoroughly considered, and then the House will be able to act intelligently.

Mr. KEIFER. I desire to ask the gentleman one question, and that is whether under the present law or regulations of the Post-Office Department any notice is given to a person who is supposed to be violating postal laws?

Mr. CRUMPACKER. In most of these cases notice is given, in some not. Now, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, I do not desire to take up the time of the House in a discussion of the merits of the bill, as the only purpose of the resolution which has been reported to the House is to provide for the consideration of the bill later on. I have no objection to its passage.

Mr. LITTLEFIELD. Mr. Speaker, I would like to inquire of the gentleman from Indiana what time is fixed for the consideration of the bill?

Mr. CRUMPACKER. There is no time fixed; the resolution simply gives it the status of a privileged measure.

Mr. LITTLEFIELD. Would the gentleman be likely to call up the bill before the holidays?

Mr. CRUMPACKER. No; it will not be called up until after the holidays.

Mr. LITTLEFIELD. I am interested in the bill and in favor of its general principles.

Mr. CRUMPACKER. Mr. Speaker, I ask for a vote on the resolution.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the resolution was passed.

#### VALIDATING CERTAIN CERTIFICATES OF NATURALIZATION.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules, and pass the following bill:

The SPEAKER. The gentleman from New York moves to suspend the rules, and pass the bill which the Clerk will report. The Clerk read as follows:

A bill (H. R. 20465) to validate certain certificates of naturalization.

*Be it enacted, etc.*, That naturalization certificates issued heretofore and under the act approved March 3, 1903, entitled "An act to regulate the immigration of aliens into the United States," went into effect, which fail to show that the courts issuing said certificates complied with the requirements of section 39 of said act, but which were otherwise lawfully issued, are hereby declared to be as valid as though said certificates complied with said section, but shall not be by this act further validated or legalized.

The SPEAKER. Is a second demanded?

Mr. HEPBURN. Mr. Speaker, I demand a second.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is entitled to twenty minutes and the gentleman from Iowa [Mr. HEPBURN] is entitled to twenty minutes.

Mr. BENNET of New York. Mr. Speaker, the necessity for this bill arises out of these facts: In March, 1903, there was approved an immigration bill which had, among other provisions, this:

All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto, shall on final application for naturalization make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and his witnesses so far applicable, reciting and affirming the truth of every material fact requisite for naturalization.

Then it had this:

All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

It will be seen from this there was no duty cast on the applicant for naturalization. The form of these certificates was at that time as the will of the clerk of each particular court made. There were numbers of courts, county courts and higher courts, throughout the States which never heard of this law of 1903,

and they went on issuing certificates of naturalization without complying with this law. All those naturalizations were void and are void. Applications come continually to the office of the Secretary of State for passports based on these certificates, and they are all rejected, as they necessarily must be.

Mr. MADDEN. Was there not a law passed during the last session of the House validating them?

Mr. BENNET of New York. There was not. It was introduced and passed this House, but the Senate failed to concur in all of it, and the gentleman from Illinois [Mr. MADDEN] may be interested to know they amended it so as to apply to the criminal court of Cook County, Ill., only, and that at the request of his colleague [Mr. MANN] the Immigration Committee consented. The bill came before the House at a very late day of the session, too late for the bill to get through conference, and the House did concur so as to cover those particular cases in Cook County as to which question had been raised, and immediately this bill was introduced to cover the entire subject. Not only are passports impossible of granting on these certificates, but title to real property is affected, as in many of the States an alien can not take or transmit real property. And therefore there had been unquestionably hundreds and perhaps thousands of conveyances since March 3, 1903, that are absolutely void unless cured by some act such as this. I reserve the balance of my time.

Mr. HEPBURN. Mr. Speaker, the statement that the gentleman has made shows the importance of the legislation of 1903. It was important legislation. It did effect radical changes in the methods by which a great many of unworthy and undesirable citizens are thrust into the civic forces of this country. The gentleman tells us as one of the reasons why this bill should pass a most alarming condition of affairs. I can scarcely conceive it to be possible when he announces to us that very many of the courts were entirely uninformed as to the passage of this law, courts that had to deal directly with the law, courts whose duty it was to be familiar with the law, courts which had obligations and duties imposed upon them by the law. The gentleman tells us that these tribunals were entirely uninformed of the existence and character of the statute. Mr. Chairman, if that is true, then we ought to debate this matter long enough to bring this subject to the attention of everybody in the United States. This is an important subject. The gentleman has told us of the great interests that are in jeopardy by reason of the failure of Government officials to perform their sworn duties. Many titles, he says, are in jeopardy. The rights of traveling citizens are affected, and the protection of the Government withdrawn from them because of these negligently criminal offenses on the part of the courts. I am unwilling that these acts should be validated. It is very much better that the individuals should suffer, the individuals who sought naturalization, who ought to have known the possibilities of the law of naturalization, who had the duty imposed upon them to know under what terms and by what processes the valuable boon of citizenship should be given—it is very much better that those persons who now, having been advised, should go back and secure that naturalization in the proper way, which, perhaps, in some instances, at least, for fraudulent purposes, they did not seek in the proper way.

Mr. TAWNEY. Will the gentleman from Iowa [Mr. HEPBURN] permit an interruption?

Mr. HEPBURN. Certainly.

Mr. TAWNEY. Would it not be impossible for those people, whose naturalization is defective because of the things stated by the gentleman from New York [Mr. BENNET], to make a new application and be naturalized in accordance with the law at the present time?

Mr. HEPBURN. Undoubtedly. If they are entitled to naturalization, if they have not received it, if the courts have been fatally in error as to their duties, if they can not have the records made as they should be made and receive the certificate that they are entitled to under the law, they can not be deprived of that right by the negligence and failure to perform a duty of an officer of the Government. The doors of the courts are open to them now, and they ought to be required to pursue the course all other persons do under similar circumstances. No one knows what there is in this broad blanket that the gentleman proposes to throw over all the courts during the last three years. How many cases are there of this kind? How many men are there that will secure rights under this legislation, depriving others of rights, perhaps, and what are the amounts involved? The gentleman has contented himself by simply telling us that there are very many of them. I do not know how many individual cases there may be; I do not know how many thousands or tens of thousands or millions of dollars may be involved in these questioned property rights, and therefore I think

we ought to have some information upon as important a matter as this.

Mr. HILL of Connecticut. Is it not the duty of the court, if a man has made a declaration of his intention and has paid for his naturalization that is wrongfully issued, without this legislation to make good and to give him good and substantial papers in place of those he now holds?

Mr. HEPBURN. I would suggest, Mr. Speaker, that there would be no difficulty in the case of anybody who suffers under the disabilities described by the gentleman in going into court, and if he had failed to furnish these affidavits and these proofs under which the courts obtained jurisdiction—mind you, if they had failed thus far by making good their own default and vesting the court with jurisdiction, they can then secure the proper records to be made and secure the issuance of the proper certificate to be had, preserving all of their rights. And that is a very much safer way, in my judgment, than it is to have this blanket process, to enter upon a domain we do not know how broad it may be, starting on a way we do not know where it is to end, and jeopardizing the rights of other persons that we now have no ken of.

Mr. KEIFER. Will the gentleman permit me to ask him a question?

Mr. HEPBURN. I yield to the gentleman.

Mr. KEIFER. I want to ask the gentleman whether these persons whose rights of citizenship are now sought to be cured have not already been naturalized in the same way that the great majority of the naturalized citizens of the United States have been naturalized?

Mr. HEPBURN. Mr. Speaker, I presume that may be so. I do not know, and the gentleman has not informed us. But I will assume that is so. I want to remind the gentleman from Ohio that Congress solemnly resolved that these older methods were obsolete, they would no longer serve; that under these old methods there have been frauds perpetrated. The gentleman called attention to this condition in the courts. I do not know where they are.

Mr. KEIFER. The State courts.

Mr. HEPBURN. I do not know what the motives or influence may have been. The gentleman says it is ignorance, and no motive at all. I do not know what political considerations there may have been. It might have been men were trying to bring in aliens in this improper manner and get them naturalized, so that finally they might make an assault upon the ballot. I do not know. We determined that that should not continue. Therefore, the argument that may be drawn and that the gentleman seems disposed to draw, that they were following the old methods, will not suffice to influence the judgment of this House, when, at least largely, the membership has decided that the old method should no longer obtain and that the newer method was the better one. [Applause.]

Mr. KEIFER. I understand that the State courts in Iowa and in many of the other States have overlooked that statute.

Mr. HEPBURN. Why do you say Iowa?

Mr. KEIFER. Because I am informed the State courts generally throughout the United States for a time overlooked the statute and naturalized, for that reason, under the old law and old provision. They did it in my State; and these people who made the application were not to blame so much as the courts, if anybody was to blame.

Mr. HEPBURN. Why can the gentleman say that the applicant for naturalization is not to blame if he does not comply with the provisions of the law?

Mr. KEIFER. Because he makes his application on blanks that the court officers furnish him.

Mr. HEPBURN. Mr. Speaker, you must remember that a man who seeks naturalization comes asking for benefit; he comes asking for privilege, a high privilege, a privilege that is given to him with limitations, limitations that he must have knowledge of. Is it possible that the gentleman proposes to make an argument in favor of naturalization for a man who is so densely ignorant of our laws and our customs and our methods that he does not even know the statute and provisions of the statute that confer upon him this great boon of citizenship? It is not a light matter to confer upon a man citizenship of the United States, to dilute, as we often do, our political power in the States by the admission, in very many instances, of improper persons.

Mr. DALZELL. I would like to ask the gentleman from Iowa a question for information?

Mr. HEPBURN. I yield to the gentleman.

Mr. DALZELL. As I understand it, this thirty-ninth section of the act of March, 1903, provides substantially that no anarchist shall be naturalized. It also provides on the face of every certificate it shall appear that the party has made that fact



appear by affidavits prescribed under the terms of the act. Now, do I understand that this proposed law is to validate certificates that neither show that he is not an anarchist nor that he has complied with the terms of the act?

Mr. HEPBURN. That is what the gentleman from New York stated in his opening address, and that is one of the reasons that he gave for this most astonishing method.

Mr. DALZELL. Then I do not think it is worth while consuming the time of this House to do away with the force of the act of the last Congress.

Mr. HEPBURN. I will yield to any gentleman who desires to oppose the passage of this bill. [After a pause.] I will reserve the balance of my time.

Mr. BENNET of New York. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from New York has sixteen minutes remaining, and the gentleman from Iowa nine.

Mr. BENNET of New York. I yield five minutes to the gentleman from Colorado.

Mr. BONYNGE. Mr. Speaker, at the last session of Congress we passed a new naturalization law. Under that law the irregularities that have been mentioned as having occurred under the act of 1903 will become absolutely impossible. The condition is simply this: In section 39 of the act of March, 1903, the duty was not imposed upon the applicant but upon the court. At that time there were in the United States some five thousand different courts having jurisdiction under the naturalization laws. Many of these courts did not follow the provisions of this statute. They did not change the form of their naturalization certificates. It may be that they required the affidavits. It may be that they examined the applicants and determined that they were in every way qualified for citizenship; but when they came to issuing the certificate they used the old form of certificate, and did not place in that certificate what section 39 required should be stated, namely, that the provision in question had been followed.

Mr. MARTIN. Will the gentleman yield for a question?

Mr. BONYNGE. Certainly.

Mr. MARTIN. If, as a matter of fact, section 39 has been complied with in these cases, is there anything to prevent the court that issued the certificates from amending the certificate and making the proper recital?

Mr. BONYNGE. Yes; I should think so.

Mr. MARTIN. What?

Mr. BONYNGE. They can not go back and change that certificate now.

Mr. MARTIN. It seems to me if there was a mere omission in form, if the wrong form has been used, the court that issued that might correct it.

Mr. BENNET of New York. Let me suggest to the gentleman that some of the courts that issued those certificates do not now have the right to naturalize applicants.

Mr. BONYNGE. Certainly. Many of the 5,000 courts then having jurisdiction in naturalization cases, have been deprived of that jurisdiction under the new naturalization law passed at the last session of Congress. Now, at the last session, in addition to passing the general naturalization law, we did pass, as the gentleman from New York has stated, a bill authorizing the validating of certificates issued by the criminal court of Cook County. There has been some question as to whether that court was authorized, under the law then in force, to issue naturalization certificates. The court had issued a great many such certificates, and those certificates had not been issued in accordance with this section. We have validated all the certificates issued by that court, and the purpose of this legislation is only to correct, not the error of the applicants, but the error of the courts that were authorized to issue naturalization certificates.

Mr. LACEY. I should like to ask the gentleman a question. Is it not true that under the recent naturalization law blanks have been furnished by the United States Government to all these courts, so that errors like this will never occur again?

Mr. BONYNGE. Certainly. All the certificates and all the forms to be issued in naturalization proceedings are now regulated by the law enacted at the last session. They are all provided by the Federal Government and furnished to the courts that have jurisdiction in such cases. The fault was not with the applicant. The fault was with Congress in the form of the legislation that we had. We allowed this loose method to go on, and, in my judgment, it would now be wrong to work a hardship upon the applicant, not because of any fault of his, but because of our failure properly to regulate naturalization proceedings, thereby depriving many worthy citizens of their right of naturalization when they have in every respect complied with the law. The same reasons that actuated us in correcting the

error in the court of Cook County certainly should control us in respect to all other courts. It only affects this one particular feature of the law and does not in any other way validate the certificate. Unless the certificate of naturalization was properly issued in every other respect this law will not validate it, and it only validates the omission of the court. Nothing else is cured or corrected by this legislation. In my judgment the bill ought to pass.

Mr. MARTIN. Mr. Speaker, one further question.

Mr. BONYNGE. Yes.

Mr. MARTIN. Section 39, to which the gentleman has referred, seems to require the court to make certain examination as to the qualification of the applicant.

Mr. BONYNGE. Yes.

Mr. MARTIN. Upon this particular question?

Mr. BONYNGE. It does.

Mr. MARTIN. Now, if this bill is passed into law, would not the effect of it be to validate the certificate in a case where the court had not complied with the law in this respect?

Mr. BONYNGE. Not at all, because the bill provides that it shall only validate the certificates in the cases where the certificate itself has failed to show upon its face that which the law required, and then only to validate those certificates in cases where the law was in all other respects complied with.

Mr. MARTIN. Yes; but not in that respect—

Mr. BONYNGE. But in that one respect only, namely, the failure of the court in the issuance of its certificate to show upon its face that it had complied with the requirements of the law. And the bill provides that it only validates certificates in such cases. The certificate must in all other respects be legal, or else it will not be validated.

[Here the hammer fell.]

Mr. BENNET of New York. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, after listening to the explanation made by the gentleman from Colorado [Mr. BONYNGE] it impresses me that there is need to have the law passed, because if we do not pass it there will be hundreds and thousands of certificates of naturalization held by people throughout the country who believe they have the right to citizenship, and will never know that they have not that right until they make application for a passport or papers of some other similar character. It has not been the fault of the applicants that these certificates were not in proper form, but it was the fault of the courts that did not furnish the proper blanks necessary to carry out the law. As all the certificates that were issued prior to the enactment of the law of 1903 were in the same form as those issued afterwards, that are by this bill sought to be validated, there can not be any great harm in validating all the certificates, so that all the people who have taken out certificates will know once and for all that they are full-fledged citizens of the United States.

Mr. BENNET of New York. I now yield three minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I am sure that no Member of this House would want, by withholding support of this bill, to do injustice to anyone who honestly sought citizenship in this country. The purpose of the bill is not to correct errors of the applicant, but rather to correct errors or oversights made by the courts in issuing the certificate.

The persons who have been naturalized within the time covered by this bill are not the undesirable persons referred to by the gentleman from Iowa [Mr. HEPBURN]. The persons who are to be affected by this bill are men of industry and economy who have purchased property. That title to such property is affected by the oversight of the courts in issuing the certificates referred to. The question may not be raised during the lifetime of the man who has by his industry secured a home for his family. The question may not be raised until after his death, and then it may be raised to the injury of those who have been left and provided for by him. I think that, in view of the fact that this is a bill to correct oversights of the court rather than of the applicant, there ought not to be any hesitation whatever in passing this law and protecting those who have acquired property and shown themselves to be honest and industrious citizens.

The Republic has not been populated wholly by native-born American citizens. Many citizens who have contributed to its greatness and glory were foreign born and have sought citizenship here in the way provided by law through the courts. They have not the responsibility in the methods pursued in naturalization, but the responsibility is upon the courts, and where the courts err the applicant, the man made a citizen, ought not to be held responsible for the error and oversight of the courts and made to suffer. I sincerely hope that the bill may pass.

Mr. BENNET of New York. Mr. Speaker, as I intend to use the balance of my time in one speech, I would like to have the gentleman from Iowa use his time.

Mr. HEPBURN. Mr. Speaker, I do not care to use all my time. If any gentleman desires, I will yield to him. If not, I would like to correct some errors gentlemen have unwittingly fallen into in regard to the character of this legislation. The gentleman from Kansas [Mr. CAMPBELL] has just said that this legislation is to correct defects resulting not from the conduct of the applicant for naturalization, but to correct errors of our courts. I deny this. That is not the language of the law. There are duties imposed upon the individual as well as upon the courts. Let me read the statute:

All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto shall, on final application for naturalization, make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and his witnesses so far as applicable, reciting and affirming the truth of every material fact requisite for naturalization. All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

Here is a duty imposed upon the applicant. It is an affidavit from the applicant that must be made; it is the affidavit of his witnesses that must be made and filed, not simply reciting the facts that exclude him from the class of anarchists, but recites every material fact essential to naturalization—everything—facts that the courts can not be advised of except through his affidavits—the affidavits that are antecedent to the making of the record, that must be completed before the duties of the clerk in making the record begins, or the duty of the court in authorizing the certificate begins.

Mr. BUTLER of Pennsylvania. As I understand, if this affidavit has not been made of the general qualifications of the applicant, his certificate may be invalidated without the affidavit being filed?

Mr. HEPBURN. If this act passes, these men are citizens, and they are citizens without having shown these material facts that are essential to confer the right of citizenship.

Mr. MARTIN. Mr. Speaker, I would like to obtain the view of the gentleman from Iowa [Mr. HEPBURN] as to whether as this bill is drawn its effect would not be to cure cases in which courts have not entered at all into the investigation of the facts.

Mr. HEPBURN. Undoubtedly. It cures cases that have been made since the passage of the act of March 3, 1903.

Mr. BONYNGE. Will the gentleman allow me to call his attention to the language of the bill?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. The bill provides that naturalization certificates issued heretofore and under the act approved March 3, 1903, entitled "An act to regulate the immigration of aliens into the United States," went into effect, which failed to show that the courts issuing said certificates complied with the requirements of section 39 of said act, but which were otherwise lawfully issued, are hereby declared to be as valid as though said certificates complied with said section, but shall not be by this act further validated or legalized. That is, simply in those cases where the certificate failed to show that the law had been complied with, but the other provisions of law must have been complied with.

Mr. HEPBURN. Mr. Speaker, the gentleman is again in error. Let me read the statute:

All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

The certificate must show that the affidavits were filed.

Mr. BONYNGE. Yes.

Mr. HEPBURN. Now, then, if the certificate does not show that, if the affidavits were filed, if they were made a matter of record, if the court had particularly inquired into all of these matters and the recitals of the records so show, it is a small matter for that man who holds this defective certificate to appear before the court and ask for the certificate that he is entitled to. It is like the correction of any mere technical error in a decree, which can be corrected in that way. There is no other party to the record. No notice has to be served upon anybody else. All this man has to do in order to secure this boon of naturalization is to go into that court and say that that certificate is informal. But I undertake to say, Mr. Speaker, that but few instances will be found where there is simply an omission in the certificate to recite facts that have in fact occurred. If the affidavits are filed, if there is this investigation, it is such a departure from the old method as to do away with the suggestion of the gentleman from New York as to ignorance of the

courts. The party was not ignorant. He knew, or his attorney that appeared for him knew, what it was necessary to recite in that certificate. These are important matters, prerequisites essential to the jurisdiction of the court, without which the court has no power to act, without which the certificate of the court is void if he issues it, and it seems to me they always would have been complied with.

Mr. BONYNGE. Will the gentleman permit another question?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. You would certainly have to give notice to the applicant in some way that the certificate was illegal. The gentleman says that they should know that it is the law.

Mr. HEPBURN. It is his duty to know that he is not naturalized.

Mr. BONYNGE. This section 39 was section 39 of a law entitled "An act to regulate immigration." This naturalization section never had any place in that law, and it is very probable that the courts did not know that a law passed to regulate immigration provided new rules for the court in issuing naturalization certificates, and it is because of that fact that the courts and the applicants were not familiar with this provision of law.

Mr. HEPBURN. Mr. Speaker, these gentlemen are treating this subject as though a boon were conferred upon the Government and the people when naturalization was accepted by one of these men. I do not so regard it. I know of no boon that can be given to a man greater than that of citizenship in the Republic. It ought to be a thing valued by him. He ought to know something about the requirements. He ought to know something about the benefits conferred, and I am unwilling to treat the subject in this way, to treat it, in fact, with levity and make a farce of it, to make these requirements, and then when men contemptuously refuse to obey them to come in with this piece of blanket legislation that the gentleman himself can not tell within thousands of cases, perhaps, how far reaching it is to be. The gentleman knows nothing with regard to the property rights interested, except in the most vague manner, yet he comes to us with this piece of legislation to cover all of the cases and attempts to pass it with twenty minutes of argument under a suspension of the rules. I think that is going a long way toward treating the subject of naturalization with contempt.

Mr. BONYNGE. Will the gentleman permit another question?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. Does the gentleman from Iowa think that the contempt was on the part of the applicant or on the part of the court, when the duty was imposed upon the court to make its certificate contain this showing and the court failed to comply with the law? Who was guilty of contempt?

Mr. HEPBURN. I am not going to enter into any controversy with the gentleman as to who was most derelict of duty. The court ought to have known, and the man who seeks naturalization in the United States ought to know, the law under which it is conferred upon him.

Mr. OLMSTED. May I ask the gentleman a question?

The SPEAKER. The time of the gentleman has expired.

Mr. BENNET of New York. Mr. Speaker, this bill applies not only to the man who took out naturalization, but to his wife and his children, and to anyone, native born or alien born, who bought real estate from him and holds title through him. If it applied merely to the original alien I would not advocate the bill, because, as the gentleman says, he could go back to the court and get his certificate corrected or at least take out a new naturalization; but here we have created a situation where county courts, which now by the action of this Congress are not permitted to naturalize any more, have, in ignorance of the statute, which was a section in an immigration and not a naturalization bill, issued invalid certificates.

Mr. MARTIN. Will the gentleman permit a question?

Mr. BENNET of New York. Just a question.

Mr. MARTIN. Then, if I understand, under your view of this proposed act persons would have their certificates corrected where the court had not gone into an inquiry of the facts required by section 39.

Mr. BENNET of New York. Not at all; because this law only validates certificates otherwise lawfully issued.

Mr. MARTIN. It seems to me it clearly covers cases where the court had not gone into the inquiry required by section 39.

Mr. BENNET of New York. Not at all. In large cities, such as Pittsburgh, and such a city as the one in which I live, the State and Federal courts comply literally with the Federal law.

Mr. KENNEDY of Ohio. If your theory of your bill is correct then you would have a great number of naturalization certificates in the hands of people, the certificate on its face not



showing whether it was a valid naturalization paper or not. One would have to go to the court and inquire of the record to find out whether one of these people with this paper in his possession was a citizen or not.

Mr. BENNET of New York. No; not if this bill passes.

Mr. KENNEDY of Ohio. If this bill passes, as I understand, the naturalization paper will not be valid unless the court's record contains these affidavits.

Mr. BENNET of New York. Unless the other steps were taken, yes. I will say this to the gentleman, that that same criticism applies to every naturalization certificate issued prior to the uniform naturalization law which we passed last year, and that was one of the reasons for passing that law.

Mr. GAINES of West Virginia. Will the gentleman permit a question?

Mr. BENNET of New York. Certainly.

Mr. GAINES of West Virginia. I understand this identical bill passed the last session, did it not?

Mr. BENNET of New York. No, sir.

Mr. GAINES of West Virginia. Did we not pass this law?

Mr. BENNET of New York. This bill?

Mr. GAINES of West Virginia. This bill in the House.

Mr. BENNET of New York. If the gentleman will permit an answer not quite categorical, I have just answered the gentleman from Illinois [Mr. MADDEN].

Mr. GAINES of West Virginia. I heard the answer to the gentleman from Illinois.

Mr. BENNET of New York. A bill containing this exact language, which had another section, was passed in the last days of the session. The other section cured other defects. That bill was amended to cover the court of Cook County, Ill., where they had 20,000 invalid naturalizations. Questions had been raised. The Senate concurred in our action to that extent. At the request of the gentleman from Illinois [Mr. MANN] the committee recommended concurrence and this House concurred. The House has once passed this subject-matter.

Mr. GAINES of West Virginia. Is it not true, then, if we now pass this bill we will be sending over to the Senate precisely the same proposition which the Senate during this Congress rejected?

Mr. BENNET of New York. That is absolutely correct; but we have hopes of changing the mind of the Senate of the United States.

Mr. GAINES of West Virginia. Does not the gentleman then think he is not only asking us to vote to suspend the rules of the House, but to vote to suspend the rules regulating the proprieties of legislative intercourse between the House and the Senate?

Mr. BENNET of New York. Not in the slightest degree.

Mr. GRAHAM. Will the gentleman allow me to interrupt him?

Mr. BENNET of New York. Certainly.

Mr. GRAHAM. If these affidavits are properly filed before the court, what is to prevent the court from sending word to have those certificates brought in and stamped in accordance with the law?

Mr. BENNET of New York. You can not find the people.

Mr. GRAHAM. You can notify the ones they have naturalized.

Mr. BENNET of New York. They do not know where they are now. If a man gets naturalized in Pittsburg and goes out to Oklahoma, and moves to Minnesota—

Mr. OLMSTED. Will the gentleman yield for a moment?

The SPEAKER. The time of the gentleman from New York [Mr. BENNET] has expired.

Mr. BUTLER of Pennsylvania. Mr. Speaker, is it in order to ask unanimous consent that the time may be extended? If so, I ask unanimous consent that time for the discussion of this measure may be continued for twenty minutes.

Mr. OLMSTED. I would like to have five minutes.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I will change my request and ask for half an hour, fifteen minutes to be controlled by the gentleman from New York [Mr. BENNET] and fifteen minutes by the gentleman from Iowa [Mr. HEPBURN].

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. BUTLER] that the time be extended for half an hour, fifteen minutes to be controlled by the gentleman from New York [Mr. BENNET] and fifteen minutes by the gentleman from Iowa [Mr. HEPBURN]. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Speaker, I will yield to the gentleman from Pennsylvania [Mr. BUTLER] five minutes.

Mr. BUTLER of Pennsylvania. I do not care for five minutes. Mr. Speaker, I would like to state my understanding of this bill. Section 39 of the act of 1903 requires every person

who applies for naturalization to do something; and that is, to satisfy the court he is not an anarchist, that he is in sympathy with the Government of the United States. The measure considered here this morning will validate every naturalization certificate without requiring the person who applies to make the affidavit required by the thirty-ninth section of the act of 1903. Assuming that to be so, then those already naturalized, but whose certificates are deficient, will not be required to state their opinions upon the form of our Government and make the affidavit requiring them to subscribe thereto. They will not be required to qualify that they are not anarchists. They will escape the provisions of existing law. These applicants will have their certificates without having complied with the requirements of this section. Furthermore, there is nothing in this act to require their appearance in court. The court of its own motion may validate all of these certificates, and the very person against whom the thirty-ninth section of the act of 1903 was directed will be exempt from its provisions. Mr. Speaker, it seems to me that if this measure should become a law, it will entirely nullify the purpose of section 39, which we were so anxious to have inserted in the act of 1903—to provide against the naturalization of anarchists. That is all the time I care for.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, it seems to me that this is a very important bill and a dangerous one. The report accompanying it sets forth that in violation of the act of 1903 there have been thousands of certificates of naturalization issued which are null and void because there was no compliance with the requirements of that act; that there should be filed an affidavit setting forth, among other things, that the applicant did not possess those disqualifications enumerated in the act which are usually attributed to those persons whom we commonly style anarchists, and also "reciting and affirming the truth of every material fact requisite for naturalization." The certificate issued by the court must show compliance with this requirement.

This bill proposes to make all those illegal naturalization certificates valid just the same as if all the requirements of law had been complied with. To that I am opposed.

It is said in explanation that neither the court nor the applicants were familiar with the provisions of the act of Congress. There is an old legal maxim that "ignorance of the law excuses no man." Certainly it does not excuse a court or an applicant for naturalization. I am one of those who believe that naturalization is a privilege that ought not to be carelessly or illegally conferred.

Mr. BENNET of New York. Will the gentleman yield for a question?

Mr. OLMSTED. Certainly.

Mr. BENNET of New York. Ought a man's transferees of real estate to suffer for the fault of the court when the man is without fault?

Mr. OLMSTED. Mr. Speaker, the man was not without fault—his counsel was not without fault—and whether they were or not he ought not to obtain naturalization without complying with the requirements of law.

It is a very simple matter if the act was complied with and the affidavit filed. In that case it has become part of the records of the court, and it would be a very simple matter to apply to that court and have the proper certificate issued. It is a fact, Mr. Speaker, that the Attorney-General of the United States is now hunting out thousands of cases of fraudulent naturalization. I know one judicial district in which the United States district attorney has been informed by the Department of Justice that there have been some thousands of cases of fraudulent naturalization certificates. He is instructed to look them up. Now, while he is looking them up, while the Department of Justice is prosecuting them, it is proposed by one brief enactment that we shall make them all valid, no matter what the conditions under which they were issued.

Mr. BONYNGE. Will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. BONYNGE. Does the gentleman contend that the passage of this bill will in any way prevent the Attorney-General or the district attorneys in the various districts under the bill passed the last session of Congress from proceeding under the provisions of that bill to have declared null the certificates that were illegal?

Mr. OLMSTED. The trouble with this bill is that it will make them legal, although they are now illegal.

Mr. BONYNGE. Does not the gentleman see that he makes it legal only as to one requirement? The language of the bill is that the certificate which fails to show that the court issuing the certificate complied with the law, but which was other-

wise legally issued, was valid. That is, all the other provisions must be complied with. This examination must have been had, and it is only in cases where the court simply failed to give a certificate showing that it complied with the law that this bill applies, and if passed, it validates those only where the certificates fail to contain the statement required by the act of 1903.

Mr. OLMSTED. Who on earth would investigate each case and find out whether all the other requirements of the law had been complied with? Who would know? Here you propose to enact a general sweeping ratification and validation. There is nobody whose duty it would be to investigate to ascertain whether the other requirements had been complied with. But, Mr. Speaker, this particular requirement was the most important that the law imposed, that there must be an affidavit reciting affirmatively the truth of all the facts necessary to naturalization. If that affidavit has not been filed, they are not entitled to naturalization and never ought to have been granted certificates conferring that right and privilege.

Mr. BONYNGE. The gentleman speaks of the requirement that the affidavit should be filed as the most important requirement. I will agree with him, but this bill does not, as I tried to show to the gentleman, affect that provision of the law. The requirement that the certificate itself should show that the affidavit was filed the gentleman will hardly contend was so important if, as a matter of fact, it was filed. Now, this law simply deals with the certificate and nothing else.

Mr. OLMSTED. The act of 1903 says that all courts shall make an inquiry as to the truth of the facts in addition to the affidavits. This act says that if the certificate fails to show that the affidavit was filed or that the court made the inquiry, nevertheless the certificate shall be valid.

Mr. BONYNGE. If otherwise legal.

Mr. OLMSTED. But where is the evidence that the courts did make the inquiry, if the record does not show it and the certificate does not show it? I submit, Mr. Speaker, that this is a very dangerous bill. It validates thousands of naturalization certificates which never ought to have been issued and are absolutely illegal and void to-day.

[Here the hammer fell.]

Mr. BENNET of New York. I yield five minutes to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Speaker, I think we are running off into side issues somewhat and discussing questions that do not and can not arise under this bill should it become a law. The trouble urged against it is that the immigrant to this country did not come here possessed of knowledge as to the precise terms of a section of an immigration bill that related to naturalization. I make a guess that nine-tenths of the Members of this House, some of whom participated in the passage of that bill, do not remember the terms of that section. I understand that many of the State courts, in all of the States of the Union, forgot or ignored it for a time at least; and to-day we are discussing the question as to whether we shall apply a severe rule to these immigrants because they were not able to advise their attorneys, if they had attorneys, and to advise the courts that they appealed to to grant them naturalization as to what the law of the land was, and they proceeded, under all the solemnity of the old law, and succeeded in getting naturalization certificates that are substantially, if not precisely, in accord with the naturalization certificates issued in the United States for more than one hundred years prior to 1903. And yet we hesitate to say whether persons who have been thus unfortunate shall be in a situation where they can make valid, or where the courts can make valid, their certificates. We hesitate to say that their children, whose naturalization may depend upon this, shall become naturalized, because we imagine that somehow or other these ignorant immigrants could not instruct the State courts and lawyers of this country just how to prepare a certificate that was not in exact accordance with a section, not of a naturalization law, but of an immigration law. There is where we are. I think that is sufficient to be said. There is no attempt by this bill to validate fraudulent naturalization papers, for it is carefully drawn on that subject. It only undertakes to make valid the certificates which are not in form according to section 39 of the immigration law.

Mr. OLMSTED. Will the gentleman from Ohio permit me?

Mr. KEIFER. Certainly.

Mr. OLMSTED. I think the gentleman is mistaken in understanding that this bill relates only to the certificate. The act of 1903 requires an inquiry by the court into all these matters. This bill says that if the courts issuing the certificates have failed to comply with the requirements of that act, nevertheless the certificates shall be valid.

Mr. BONYNGE. Oh, no.

Mr. KEIFER. Read the closing sentence of the bill which you have in your hand.

Mr. LITTLEFIELD. That ought to be read in connection with the beginning of the section. That is, that naturalization certificates issued heretofore, which fail to show, and so forth.

Mr. BONYNGE. It is the naturalization certificate that is validated.

Mr. OLMSTED. Certificates which fail to show that they complied with the requirements of the section?

Mr. KEIFER. Yes.

Mr. OLMSTED. And one of the requirements is not only that the certificate shall show the filing of an affidavit, but that the affidavit shall be filed with the court, and that the court shall make inquiry into all those matters.

Mr. BONYNGE. That is not the effect of it.

Mr. OLMSTED. It is capable of that construction.

Mr. KEIFER. If the gentleman will read the last clause of the bill he will see it is very carefully drawn, and that it does not validate anything save and except the defect in the certificate. I think I am substantially correct in that.

[Here the hammer fell.]

Mr. HEPBURN. I yield five minutes to the gentleman from South Dakota.

Mr. MARTIN. Mr. Speaker, there seems to be some difference of judgment and opinion between Members of the House as to what would be the effect of the passage of this bill. I agree entirely with the general statement of the gentleman from Iowa [Mr. HEPBURN] upon that subject. I believe that the effect of the passage of this bill would be not only to validate certificates in which a mere recital was not made in compliance with section 39, but to validate also the certificates in cases where the other provisions of section 39 were not in fact complied with. In his argument the gentleman from New York [Mr. BENNET] held and takes the other position. The gentleman says, however, that section 39 of the act of March, 1903, is not a section in a naturalization law, but an immigration law, and that many of the courts and the parties applying for naturalization knew nothing about it. It is difficult to conceive of a case where a court has had its attention called to the language of the anti-anarchistic clause and has made the examination required by the section, and yet has failed to recite this fact on the face of the certificate, because the section itself is positive that no certificate shall be valid that does not state that on its face. There is little doubt that in all cases in which the court has actually made the examination and required the person applying for naturalization to give an affidavit that he is in sympathy with the principles of our Constitution and Government the certificate would, in fact, show it. I believe this is a most important provision. I believe in cases in which it has not been complied with the certificates ought not to be validated, and therefore oppose this bill.

As the gentleman from Iowa said, the boon of citizenship in the United States is of sufficient dignity and importance that every important provision that has been made in the statute should be understood by the person applying, and should be obeyed and followed by the court giving its final certificate.

Now, so far as the title to land passed by the Government of the United States under the homestead law is concerned, I will call the attention of the gentleman from Kansas [Mr. CAMPBELL] to the fact that a person does not have to have taken out a final certificate in order to be a valid homesteader, and if the preliminary declaration has been in proper form such a person can still apply and obtain a correct and valid final certificate.

Mr. CAMPBELL of Kansas. If the gentleman will permit me, I will state that that may be true, and I have no doubt it is, as to the certificate of a homesteader. But suppose the naturalized citizen under this law within the last three years has purchased from a citizen a homestead or home, and has since then passed title to another, who was a native-born American citizen, in what way may the defect in the title to that property be cured?

Mr. MARTIN. That would depend entirely upon the statutes of the State in which the transfer was made. But be that as it may, I take the position that since the passage of the act of 1903 no person not examined by the court as to his disposition toward the Constitution and principles of our Government ought to be admitted to citizenship, whatever may be the effect upon the claim of title to any particular piece of land. I take the position that the effect of the passage of this act would be to validate a certificate where the necessary affidavit had not been required and no proper examination made by the court at all, and for that reason I am opposed to it.

Mr. BUTLER of Pennsylvania. Will the gentleman permit me to ask him a question?

Mr. MARTIN. Certainly.



Mr. BUTLER of Pennsylvania. Why can not it be provided in this bill that the applicant whose certificate is not regular in form, because the affidavit was not made at the time he applied—to repeat, why can not we provide that when the applicant makes application for correction of his certificate he should make the affidavit provided for in section 39, and that the affidavit should be filed *nunc pro tunc*?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HEPBURN. I yield the balance of my time to the gentleman from South Dakota.

Mr. MARTIN. It seems to me that where the court has in fact made the examination there is no need of legislation. If this can be shown, that the court has made the examination and conformed to the law in every respect except as to the form of the certificate, the court could cure the certificate by conforming it to the facts disclosed in the examination.

Mr. BONYNGE. Has the gentleman taken into account the fact that we have taken the jurisdiction away in reference to matters of this kind from the court?

Mr. MARTIN. The effect of that would not be to deprive the court of the right to complete any case in which it originally had jurisdiction. The court would still retain jurisdiction to give a proper certificate.

Mr. BONYNGE. Under the terms of the act the certificate is given of the time of the examination.

Mr. MARTIN. Will the gentleman state that in the cases in which section 39 has been complied with by the making of the affidavit, and where the applicants have been examined by the court, and the section followed in all respects except as to the form of the certificate, that can not be cured by the court?

Mr. BONYNGE. That is my opinion.

Mr. MARTIN. That is not my opinion.

Mr. BONYNGE. It is my opinion further that this bill does not affect any case except those in which the court has complied with all the requirements of the statutes until it comes to the statute affecting the certificate of naturalization.

Mr. MARTIN. It is my opinion that any court that had its attention called to the requirements of this section as to the certificate of naturalization requiring these facts—

Mr. BONYNGE. The clerk issues the certificate, and he had printed forms and used the old forms.

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman a question.

Mr. MARTIN. I will yield to the gentleman.

Mr. LACEY. I would like to ask the gentleman this question: Suppose a foreigner comes to the State of South Dakota and takes up a homestead; he has to be naturalized before he can prove up, and his naturalization is defective on account of this certificate.

Mr. MARTIN. He does not have to be naturalized to prove up.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to amend my request by adding, on line 10, page 1 of the bill, after the word "section," the words "so far as rights in real property are concerned."

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman from New York asks unanimous consent to amend the bill.

Mr. BONYNGE. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman a question.

Mr. SHERLEY. Reserving the right to object, I want to learn what the request is.

The SPEAKER pro tempore. Pending the right to object, the gentleman from Colorado and the gentleman from Kentucky desire information.

Mr. BONYNGE. Do I understand the purpose of the gentleman from New York is to simply validate certificates in which the other provisions of the section have been complied with and the only failure was to insert in the certificate the fact that the provisions of the statute are complied with?

Mr. BENNET of New York. Yes; and then only so far as they relate to the rights in real property.

Mr. BONYNGE. The gentleman from New York handed me a suggestion, in which he had scratched out the words "which were otherwise lawfully issued." The request the gentleman now makes does not strike out those words.

Mr. BENNET of New York. It does not.

Mr. BONYNGE. Then I do not object.

Mr. SHERLEY. The gentleman from New York asks permission to amend his request?

Mr. BENNET of New York. I intended to say "amend the bill."

Mr. SHERLEY. Very well. I did not know but that some

previous request had been made of which I was not aware. The gentleman desires now to amend the bill to relate to real estate only?

Mr. BENNET of New York. Yes.

Mr. SHERLEY. I shall not object.

Mr. MUDD. Mr. Speaker, I would like to ask the gentleman if his contention is that validating the certificates of naturalization can affect title to real property in the States? I do not think it can myself. That is a matter of legislation which is entirely within the control of the States.

Mr. BENNET of New York. Yes; it can pass a law affecting a man's naturalization, upon which his title to the land depends.

Mr. MUDD. But you can not pass a law here affecting the right to acquire or to hold or in any manner to regulate titles to real estate in the States.

Mr. BENNET of New York. That is true.

Mr. MUDD. You can validate the act of naturalization upon which the State law in relation to real estate titles will take effect automatically and accomplish what is desired in relation thereto, but you can not here by an act of Congress make a partial provision as to naturalization which goes merely to the point of the acquisition or alienation of land.

Mr. BENNET of New York. My motion is to amend the bill by inserting after the word "section," in line 10, the words "so far as rights in real property are concerned."

Mr. MARTIN. I do not think that will accomplish what the gentleman from New York seeks to accomplish.

Mr. BUTLER of Pennsylvania. As I understand, if this should be adopted it will not affect anybody except those who own real estate.

Mr. BENNET of New York. The gentleman is correct. Where men have gone on under the assumption that they were citizens and were not citizens, but aliens, and either they or their heirs or their devisees have taken title, which title is absolutely invalid, then this act legalizes that certificate of naturalization for that purpose.

Mr. KENNEDY of Ohio. Mr. Speaker, I would like to ask the gentleman a question.

Mr. BENNET of New York. I will yield.

Mr. KENNEDY of Ohio. As affecting the real estate in the States, can we pass a retroactive law to make a man a citizen who is an alien?

Mr. LITTLEFIELD. You can relieve the objection of illegal naturalization, so far as that operates.

Mr. KENNEDY of Ohio. I am opposed to this bill. I think it is improper in form and something much better could be framed to accomplish the object. If the record of the court naturalizing the alien shows that all the proceedings were regular, why not provide for the issuance of a transcript; then that would obviate the alien, or the parties who now have the defective certificate, carrying around over the country a paper which does not show whether it is valid or invalid.

Mr. BENNET of New York. The trouble with the suggestion of the gentleman in this, that people get naturalized, for instance, in the courts of Pittsburg, and then move to Oklahoma or Minnesota and other States. Their certificates are burned and destroyed, and you can not obtain again the original certificates.

Mr. KENNEDY of Ohio. The law provides that we can get a transcript at any time from every court.

The SPEAKER pro tempore. Is there objection made to the request of the gentleman from New York?

Mr. GRONNA. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is made.

Mr. BENNET of New York. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, if this bill contemplated to validate certificates of naturalization fraudulently issued, I should certainly vote against it, but as I understand the language of this act, it does no such thing. It merely validates certain certificates of naturalization which are not correct in form, and not because of any fault on the part of the immigrant who sought naturalization, but because of the neglect or oversight of the courts who issued the certificates. Now, the question is, Shall we punish an innocent applicant for a certificate of naturalization whose certificate, in the light of this section in the immigration bill, is now invalid, or shall we state that because of a neglect of the courts these certificates shall be validated?

Mr. BONYNGE. That is all there is to it.

Mr. BARTHOLDT. Mr. Speaker, people who are concerned in fraudulent certificates of naturalization are being prosecuted to-day in all the large cities of the country. In my own city we have sent quite a number of prominent politicians to the penitentiary for fraudulently procuring naturalization pa-

pers for people. But this bill does not apply to that class. It applies to a class of innocent men.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BENNET of New York. How much time have I remaining?

The SPEAKER pro tempore. Three minutes.

Mr. BENNET of New York. I yield three minutes to the gentleman from Missouri.

Mr. BARTHOLDT. Mr. Speaker, I was going to say that it applies to a class of innocent men who were seeking the boon of citizenship of this country, who have come here with the intention of remaining in this country, who have come here with their families, who have come with the purpose of identifying themselves with the institutions of this country. When we investigate as to which party is benefiting most by the process of naturalization, I would say that, in my own humble judgment, both parties are benefited. The country is benefited by granting citizenship to a good man and a good family, and the immigrant is benefited, upon whom is bestowed that boon of which the gentleman from Iowa [Mr. HEPBURN] speaks. Mr. Speaker, I sincerely trust that this bill will pass, and I am glad that the amendment offered by the gentleman from New York [Mr. BENNET] has been objected to, because it would certainly have weakened the bill. It would have included only those who hold property and all the other thousands would hold defective certificates of naturalization, would be excluded from the benefits of this legislation although the issuing of those defective certificates was no fault of theirs.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. HEPBURN) there were—ayes 51, noes 41.

So (two-thirds not voting in favor thereof) the motion to suspend the rules was rejected.

#### PAY OF OFFICERS AND EMPLOYEES.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 203, which I send to the desk and ask to have read.

The Clerk read as follows:

*Resolved, etc.,* That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1906, on the 20th day of said month.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent for the present consideration of the House joint resolution 203. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time, read the third time, and passed.

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

#### BRIDGE ACROSS ALLEGHENY RIVER, PENNSYLVANIA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 21200) to authorize the county of Allegheny, in the State of Pennsylvania, to construct a bridge across the Allegheny River, in Allegheny County, Pa., which I send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.,* That the county of Allegheny, in the State of Pennsylvania, a municipal corporation organized under the laws of Pennsylvania, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge, and approaches thereto, across the Allegheny River, from a point at or near H street in the borough of Oakmont, Allegheny County, Pa., to Hulton Ferry, in the township of Harmar, in said county and State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, I desire to ask whether it is intended that that bridge shall be used for railroad purposes?

Mr. DALZELL. Why, the bill is in conformity with the general bridge act which we passed at the last Congress and provides for the use of the bridge by all sorts of corporations. It is the ordinary general-corporation act.

Mr. GOLDFOGLE. In other words, this is really a bill for the purpose of permitting some railroad company to use this franchise.

Mr. DALZELL. Not so far as I know; no.

Mr. GOLDFOGLE. What railroad is intending to pass over this bridge?

Mr. DALZELL. No railroad, so far as I know. It is a bridge between two large communities, one on one side of the Allegheny River and the other on the other side, and there is no bridge across within a distance of 8 or 10 miles. It is an ordinary highway bridge built by the county of Allegheny; not a corporation, but a municipality.

Mr. GRAHAM. I would also state it connects Mr. DALZELL's district with mine, and the people all want it.

Mr. GOLDFOGLE. If you two gentlemen desire to get so close together, I shall have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

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

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

#### BRIDGE ACROSS TOMBIGBEE RIVER, ALABAMA.

Mr. RICHARDSON of Alabama. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 21951, and ask its present consideration.

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

The Clerk read as follows:

A bill (H. R. 21951) to authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across the Bigbee River, in the State of Alabama.

*Be it enacted, etc.,* That the Alabama, Tennessee and Northern Railroad Company, a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Bigbee River at or near Stones Ferry, in Pickens County, in the State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment is as follows:

In line 7 strike out "Bigbee" and insert "Tombigbee."

The SPEAKER. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, I desire to know the name of the railroad corporation which desires to make use of this bridge.

Mr. RICHARDSON of Alabama. It is an ordinary bridge bill in the usual form prescribed by the Committee on Interstate and Foreign Commerce.

Mr. GOLDFOGLE. The question I put was, "What corporation desires to make use of this bridge?"

Mr. RICHARDSON of Alabama. Certainly it is intended to make use of it; that is why it is to be put up.

Mr. GOLDFOGLE. I want to know the name of the railroad that is to pass over it.

Mr. RICHARDSON of Alabama. It is in the bill.

Mr. GOLDFOGLE. It is named in the bill?

Mr. RICHARDSON of Alabama. It is the Alabama, Tennessee and Northern Railroad Company.

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

The amendment was agreed to.

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

The title was amended to read as follows:

To authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across the Tombigbee River in the State of Alabama.

#### LIFE-SAVING STATION, ISLES OF SHOALS, PORTSMOUTH, N. H.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

A bill (H. R. 189) to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a life-saving station at such point on the Isles of Shoals, off Portsmouth, N. H., as the General Superintendent of the Life-Saving Service may recommend.

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

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

#### INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the Indian appropriation



tion bill, and pending that, if the gentleman from Texas is here, let us see what arrangement can be made for general debate.

Mr. STEPHENS of Texas. I have not had any application for time except from one gentleman.

Mr. SHERMAN. And he is not here? What do you say, not to exceed an hour?

Mr. STEPHENS of Texas. Not to exceed one hour.

Mr. SHERMAN. I ask unanimous consent that general debate may be for one hour, one-half to be controlled by myself and one-half by the gentleman from Texas.

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

The motion was agreed to.

Accordingly the committee resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 22580, the Indian appropriation bill, Mr. BOUTELL in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 22580) making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

Mr. SHERMAN. I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERMAN. Mr. Chairman, the bill as now presented presents no new feature of administration. It does present certain features of legislation which if any gentleman desires to invoke the rule will necessitate the striking out of the provisions. For instance, it has been the custom for many years to make certain provisions as to the manner in which certain funds should be expended; how they could be changed from expenditure in one location or one avenue to another, and also how certain provisions as to the manner of advertising for bids for supplies and the letting of supplies, etc. These provisions have been carried in the bill ever since I first became connected with the Indian Committee, which is twelve years ago, and I do not know how long prior to that time, and we have in the bill this year made those provisions continuous, so that it will be unnecessary year after year to lumber up this appropriation bill with page after page of these provisions. It will be entirely proper for Congress at any time that it desires to do it to make a change of these provisions. It is apparent from the repeated enactment year after year that this is the will of Congress, and we attempt to shorten the bill by making these provisions continuous.

The policy of the Government in the treatment of the Indians is, as has been the policy for many years, to allot to the Indians as rapidly as possible, and to do away as rapidly as possible with the tribal occupancy of the land, to educate the Indians, to instill habits of industry into them, to enforce labor where it is necessary. Where the treaty provisions are such that the administrative officer can require them to labor for money, rather than issue rations to the Indians, to buy the food, that has been done, and that policy is continued now. And we are educating them not merely in the "three R's," not merely in the day schools, but also in the boarding schools and in the manual training schools, teaching them to be artisans, to be carpenters, blacksmiths, harness makers, and the like of that, and more than that, we are teaching the Indians, not merely the youthful ones, but the older and the middle-aged men and women, in their home, the art of farming, of grazing, of cattle raising, housekeeping, of sewing, and of washing, through the instrumentality of the practical farmers and the matrons who go from reservation to reservation and from home to home. This has been the policy for some years, and this is the policy now. In that way it is believed we will soonest reach the goal which all desire, of making the Indians self-supporting citizens.

As viewed from year to year, no striking advance can be seen in the condition of the Indians, but taking any given period of three or five or ten years, or longer, there is to be seen a very rapid improvement in their general condition. Last year in presenting the bill I read from the report in many States and Territories, from agents, from superintendents, from farmers, and the like, showing the satisfactory condition of the Indians as a whole in these various localities. The reports did not all demonstrate improvement and a satisfactory condition, to be sure, but most of them did, and the one wail that then was general, and that I find in the reports for this year as well, is the introduction of alcoholic liquors among the Indians. That is an evil which has been most instrumental in retarding the

progress of the Indians heretofore, and it still exists to a degree, stimulated somewhat by a recent decision of the Supreme Court in reference to the right of Indians after taking allotments and becoming citizens. We attempted in last year's bill, and have repeated in this year's bill, to provide for combating that evil by giving to the Commissioner a very considerable sum of money, \$25,000, for reaching without the reservation limits in fighting the introduction of liquor to Indians. Perhaps I can best show the advance of the Indians during a period of a decade or more by quoting a few figures, and I shall not quote a great many. First, the population of the Indians to-day, as shown by the last census and somewhat by agency reports since, and a little bit estimated, outside of the Indian Territory, is 192,442; the population within the Territory, 91,637, making a total Indian population of 284,079. Last year the Indian births exceeded the deaths by 316. There are more Indians in Arizona than are in any other State or Territory. There are 38,000 in Arizona, 19,000 in South Dakota, 18,000 in New Mexico, 15,000 in California, and 9,000 in North Dakota. The total fund which belongs to the Indians, held in trust by the Government for them, is \$35,000,000—I give these sums in round figures, as there is no use of particularizing to the dollar and cent—upon which the Government paid last year to the Indians \$1,721,000 in interest. To this the Indians added by the payment for their own labor throughout the United States last year \$1,331,000. Besides this, the United States is obligated, under its various treaties, to pay to Indians, in round numbers, about three-quarters of a million dollars in various ways—some of it in money, some of it in support of schools, some of it in furnishing rations, and so forth.

The total acreage of lands owned by the Indians, both allotted and not allotted, in the United States, outside of the Indian Territory, is 51,000,000 acres, or an average of 271 acres for every man, woman, and child of the Indian population in this country outside of the Territory.

First, let me say, they cultivated themselves 365,000 acres of land, and from them they produced last year three-fourths of a million of bushels of wheat, a million and a quarter of oats and barley, a million bushels of corn, nearly three-quarters of a million of bushels of vegetables, and half a million tons of hay.

Now, to illustrate the advance of the Indians, let me quote these figures: Fifteen years ago there were 75,000 Indians wearing citizens' dress; ten years ago, 81,000, and the last fiscal year for which we have a full report, 116,000. Ten years ago those who wore citizens' clothing, in part, were 31,000; last year, 43,000. Those who could read the English language fifteen years ago were 27,000; ten years ago, 33,000; last year, 63,000. Those who could speak the English language fifteen years ago, 31,000; ten years ago, 41,000, and at the present time upward of 70,000, the last report showing 70,000. The number of dwellings occupied by the Indians fifteen years ago were 20,000; ten years ago, 23,000; now, 28,000. The number of church buildings fifteen years ago, 198; ten years ago, 371, and now, 390. Church membership has increased during the last ten years from 20,000 to 38,000. So that, as I say, these figures show a reasonably satisfactory progress on the part of the Indians throughout the United States. The school enrollment for the last fiscal year has not increased over the school enrollment of the prior year. The average attendance during the last year is slightly greater than the year before. However, with an enrollment of over 30,000 out of a population of 200,000, it seems to me that we have somewhere near reached the high-water mark in school attendance. The reports from the various school superintendents show a satisfactory condition in reference to the education of the pupils in the various schools and from the various reservations. We have about 300 Indian schools—23 large nonreservation boarding schools, the largest of which is Carlisle, the next Chilocco, and the next Haskell, Kans. Over a thousand pupils are educated at Carlisle. At some of the larger schools the so-called "outing system" is in operation, the results of which are uniformly satisfactory. The Indians during the vacation are farmed out, and farmed out with very great care, to families where they are taught the art of housekeeping and farming and the like from a practical standpoint.

There has been much agitation both in and out of Congress in reference to so-called "contract schools." Congress about ten years ago declared that after a specified time named in the act Congress should no longer appropriate to these contract schools—"sectarian schools," as they were then called. Since 1901 Congress has not so appropriated, but under the direction of the Executive certain treaty funds and certain trust funds have been used for the support of some of these schools. Under a ruling that has been made the treaty funds are no longer used for that purpose. Trust funds are used where the tribes petition that they be so used. At the present time there are con-

tracts with less than half a dozen schools, in which there are educated less than 300 children under these contracts. But there are so-called "sectarian schools" still maintained by various denominations—more by the Catholic Church than by any other denomination—schools in which about 3,500 Indian scholars are educated and supported or maintained by the Catholic Church, Presbyterian Church, Lutherans, Episcopalians, Dutch Reformed, Methodists, and possibly other denominations. The fact is that they do this with money that they raise in their own way, with which Congress has naught to do. Of these schools, I think there are forty-five, and the Catholic Church supports, if I remember correctly, twenty-nine, and the other sixteen are supported by the various other denominations. The care and maintenance of the pupils in these schools is satisfactory.

Now, Mr. Chairman, with this I hope not too lengthy explanation I reserve the balance of my time. When we come to the reading of the bill, I will be glad to explain any item that any Member of the House desires to have information upon.

Mr. LITTLEFIELD. Before the gentleman sits down—

Mr. SHERMAN. If the gentleman will permit me, just one moment. I neglected to take up the report. It discloses these facts: That, first, the total amount that is proposed to be appropriated is \$8,200,000. Last year the total amount was \$9,400,000. Now, it is proposed to appropriate a sum in excess of the estimates by the Department. We have provided for \$300,000 rather than \$150,000 estimated for the support of schools in the Indian Territory, and this money is expended not merely for the education of the Indians, but for whites as well, during the transition period from the condition of tribal ownership to coming in under the State government.

These schools, by the way, are contributed to not merely by this appropriation, but also by certain funds that come to the tribe for royalties on certain lands which have been leased, and also from fees for certain court proceedings. So that while the facts are that last year more white people were educated in these schools than Indians, \$150,000 was appropriated by Congress, and the balance of better than \$400,000 was expended out of the Indian fund. Now, I will yield to the gentleman from Maine.

Mr. LITTLEFIELD. The gentleman referred to a ruling by the Department in relation to treaty funds. Would he be kind enough to state just exactly what the ruling was, so that we can get an idea of the situation.

Mr. SHERMAN. The idea was that the trust funds could be used for the education of the Indian children in any schools that the owners of the fund desired them to be educated in; wherever the Indians of any tribe petition that a portion of their fund should be used for the education of their children in any particular school that it should be so used.

Mr. LITTLEFIELD. But the tribe had to take the initiative?

Mr. SHERMAN. Yes; by petition.

Mr. LITTLEFIELD. The trust funds are being so used, but the treaty funds are not.

Mr. SHERMAN. That is correct.

Mr. LITTLEFIELD. The trust funds are being used for the benefit of the cestui que trusts?

Mr. SHERMAN. Yes. The treaty funds are not used in this way, but when the Indians petition that the trust funds be used in any particular way for educational purposes they are so used.

Mr. LITTLEFIELD. Has there been any ruling in relation to the use of the treaty funds?

Mr. SHERMAN. The ruling has been that they could not be so used.

Mr. LITTLEFIELD. Could not be used on the petition of the tribe?

Mr. SHERMAN. No. The Department has declined so to use the treaty funds.

Mr. LITTLEFIELD. Under what circumstances was that ruling made?

Mr. SHERMAN. There is some action pending in some court, on the application of somebody somewhere, representing one of these schools, for a determination of that question. I have forgotten whether it be in the nature of a mandamus proceeding or an injunction proceeding, but I say there is now pending a proceeding to determine whether or not the Department shall use the treaty funds upon the application of the Indian tribes. Pending the determination of that action, the funds are not being so used.

Mr. LITTLEFIELD. The bill last year from your committee, appropriating for the Indians, as I remember it, carried quite a large increase in salaries and in the number of officers, something in excess of \$100,000. Is the gentleman able to state what the fact is in relation to the present bill?

Mr. SHERMAN. The gentleman is in error in his recollection of last year's bill. It did not do anything of the kind.

Mr. LITTLEFIELD. My recollection is that it provided for a large number of extra officers.

Mr. SHERMAN. No.

Mr. LITTLEFIELD. I thought it did.

Mr. SHERMAN. The gentleman's recollection is at fault.

Mr. LITTLEFIELD. What is the fact about this bill so far as the creation of new offices is concerned and the increase of official salaries?

Mr. SHERMAN. We create no new offices. I am glad the gentleman made the inquiry, because it brings to my mind one subject I have not discussed. We have heretofore appropriated specifically for the superintendents of the various schools. We make this change in this bill: We divide the schools into four classes. Class 1 is made up of boarding schools that have 100 students or less; class 2, those having from 100 to 200; class 3, above 200 and below 400; class 4, above 400; and we provide that the salaries of superintendents in class 1 shall be not exceeding \$1,200; in class 2, not exceeding \$1,600; in class 3, not to exceed \$2,000, and in class 4, not to exceed \$2,500.

These salaries are to be fixed by the Commissioner of Indian Affairs. The idea was this: Now the superintendent is put at a school, say, with a salary of \$1,200. No matter how efficient he may be, that is all he can get in that school, and the only way to give him promotion is to take him to some other school. The Commissioner believed, and the committee thought he was correct in his idea, that to provide this sliding scale, as it were, the Commissioner could bring a new man into the service, put him at a school in class 2, pay him in that school a salary of \$1,300 or \$1,400, and say: "Now, when you have brought this school up to a higher grade than it now is, when you accomplish a little more than has heretofore been accomplished, I will raise your salary to the maximum of \$1,600." In other words, he believed that stimulant before the superintendent will result in the betterment of the service, and the committee thought he was right in that regard.

It does not increase the number of superintendents, but it increases slightly the appropriation, because there are a few schools, two or three, where the number of students is above 400, and the salary now appropriated is less than \$2,500. But it does not of necessity follow that the Commissioner will fix the salary at \$2,500. For instance, take the Riverside School, California, where there is as efficient and capable and fine a superintendent as in any school in the country, regardless of color of the students, and the salary is \$2,250, and as far as I know the superintendent is entirely satisfied. I imagine the Commissioner will not think it necessary to raise that salary above the \$2,250, which it is at present. But the maximum is \$2,500, and we appropriate the maximum, so that if the Commissioner sees fit to use it he can. But that means all told only twelve or fifteen hundred dollars.

The gentleman from Maine must understand that in this bill we do not appropriate for the officers here in the city of Washington, only the officers in the field. We never do appropriate for the administration in the office at Washington—that is carried in the legislative bill. All this bill cares for is the administration in the field and the obligations of the Government by way of treaty and gratuities.

Mr. LITTLEFIELD. Are there any increases appropriated for in the bill other than those which the gentleman has described?

Mr. SHERMAN. I do not remember now whether we appropriate more for the Indian Territory work than we did last year, but unless we do there is no other increase.

Mr. LITTLEFIELD. That would be in connection with the increased appropriation for schools in the Indian Territory?

Mr. SHERMAN. Yes; my recollection is that we appropriate less for the work in the Indian Territory this year than we did last year, except school work that I spoke of. Mr. Chairman, I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Chairman, I think the committee is to be congratulated for the reduction in expenditures in this bill from that of last session. The amount appropriated for 1907 was \$9,405,198, and the amount carried in this bill is \$8,203,068, making an excess of last year over this year of \$1,202,131.

I desire further to state, Mr. Chairman, that there is but little new legislation in this bill. Among the items of new legislation I find this, an item which capitalizes the fund of the Iowa Sac and Fox tribe of Oklahoma, and enables the Secretary of the Treasury to pay the sum of money to their credit on his books, and on which the Government is now paying interest.

Mr. CURTIS. I beg the gentleman's pardon, but these are Kansas Indians and not Oklahoma Indians.

Mr. STEPHENS of Texas. I understand; but it is merely a



provision that enables the money to be paid out according to the indorsement of the Secretary of the Treasury.

Mr. MURDOCK. Mr. Chairman, I should be glad if the gentleman will explain this process of capitalization.

Mr. STEPHENS of Texas. Where a fund has come to the Indians under different treaty stipulations, capitalizing it is putting it all together and paying it off in bulk to the Indians under the direction of the Secretary of the Interior and the Commissioner of Indian Affairs. They get all the money due them, but it is capitalized and paid to them under their instructions, so as to save so much trouble and bookkeeping. It is simply a matter of bookkeeping.

There will be found in the bill a raise of from \$150,000 to \$300,000 which was appropriated last year for schools in the Indian Territory. We find that the amount we appropriated last year was wholly insufficient for the purpose of carrying on the schools in the country. This is outside of the towns. So we simply doubled it this year and let it carry \$300,000.

I disagree with the chairman of the committee and with the majority of the committee, and have for some years, with reference to the use of trust and treaty funds for sectarian schools. I have bills pending to correct that trouble, as I so regard it, but have been unable to get the Committee on Indian Affairs to see these things in the light that I see them. I think all of these trust funds and the treaty funds coming to the Indians should be used in Indian Government schools, and that no part of it should be farmed out to any sectarian school of any kind or character. I believe that the principle is wrong. Another matter to which I desire to call the attention of the House is this: We find a great many Indians who have become citizens of the United States under a recent decision—I believe the Hough case—where an Indian in Kansas had some one sell him whisky. The man who sold the Indian the whisky was prosecuted. He defended on the ground that the Indian was a citizen of the United States, because his land had been allotted to him. He was convicted in the lower court. The case came to the Supreme Court of the United States, and they reversed the lower court and held that after allotment of lands to Indians they become citizens of the United States, and hence it was no offense to sell whisky to a citizen of the United States. I believe it is wrong for Congress and the United States to have to educate children of the citizens of the United States, and I take the broad ground that when these Indians have their lands allotted to them that they do become citizens of the United States and that they should be taken off the General Government and that the States and Territories where they live should provide for educating them; that they should be mixed among the children of the schools of the State or Territory and become part and parcel of the schools of the State or Territory where they reside. I do not think it is fair for the entire United States to be taxed; for the Government of the United States to go into the various States and Territories where these Indian reservations happen to be and appropriate \$167 per capita to each one of these Indians for the purpose of educating what are now citizens of the United States simply because they may have one-sixteenth or one-eighth of Indian blood in their veins.

If we adopt this policy when these allotments are made and these people become citizens of the United States, and turn them over to the States or Territories, then we will have this Indian problem solved in a very few years, because we have very justly adopted the policy of allotting the lands to the Indians and making them citizens, and we should let them become a part and parcel of the great body of our citizens. Then the local legislatures of the States or Territories should take control of them, and that would relieve the Congress of the United States from the burden. It would relieve the Treasury of the United States from the burden, and in that way the Indian problem would soon be solved.

Mr. WEBB. Mr. Chairman, I notice that the chairman of the committee, the gentleman from New York [Mr. SHERMAN], stated that there were forty-five sectarian schools in the Territory, twenty-nine of which were Catholic and the others Protestant. Do all of these sectarian schools there share in this trust fund that the gentleman speaks of?

Mr. STEPHENS of Texas. No; that is done in this way. It is done on petition of the tribe, as I understand it, to the Secretary of the Interior to be permitted to use so much of their fund as is available for that year; and they select the school, whether Catholic, Presbyterian, or whatever it may be, to which they desire to send their children. I object to that, for the reason that you will have a petition going the rounds for one kind of school and another for another; as, for instance, for a Presbyterian and for a Catholic school; and you thus have a sectarian trouble among those Indians. I maintain that all of these funds should be used only in Government schools, under

the control of the Government, and not under the control of any sectarian teacher whatever.

Mr. WEBB. Is there any one of the churches that receives the largest share of this trust fund?

Mr. STEPHENS of Texas. I think the Catholic Church, as the chairman has stated, has twenty-nine out of forty-five.

Mr. Chairman, I now yield such time as I may have left to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the bill under consideration for Indian appropriations is absolutely safe in the hands of the Committee on Indian Affairs, and especially as the chairman [Mr. SHERMAN] has the full confidence of every Member of this body. Indeed it would be safe, in my judgment, to adopt the recommendations and approve the bill as a whole without discussion or change of any character. [Applause.]

Therefore I shall devote the period allotted me to the necessity of larger appropriations for the improvement of the nation's waterways, the best and cheapest manner of handling the country's products.

These are nature's common carriers and will solve the vexed problem of transportation and railroad-rate regulation.

A great congress of commercial bodies, representing every section of the country, with an attendance of 1,000 delegates, met in this city December 7 and 8, 1906, to discuss ways and means to bring about the desired results. Speeches were made by distinguished men known for their civic pride and sterling patriotism, resolutions unanimously adopted demanding at least \$50,000,000 annually for river and harbor improvements, and a permanent organization effected, with that zealous and untiring colleague of ours, the gentleman from Louisiana [Mr. RANSDELL], at its head as president.

The country should awaken from its apathy and get behind this grand and praiseworthy organization, creating and stimulating a strong active public sentiment in favor of the project advocated. In this way the Congress of the United States, ever responsive to public sentiment, will see to it that a sufficient amount of the annual revenues of the Government is appropriated for this purpose, and that, too, before the moneys are devoted to other and less important objects.

While in favor of a good navy and a well-equipped, limited-number army, I do not advocate excessive and yearly increasing appropriations for these objects, and especially not at the expense of the improvement of the great waterways of the country now actually needed to transport the rich products of the farm, the mine, the forest, and the factory.

Representing a district with forty-odd miles of navigable water front and a population of 400,000, I am particularly interested in this matter. This district has such well-known waterways as the Hudson, East, Bronx, and Harlem rivers, Long Island Sound, Westchester and Eastchester creeks, and Bronx Kills, all tidal streams, with an immense traffic; all under improvement by the General Government except the Kills.

What is demanded by my people and those of the Empire State is that the improvements now under way be speedily completed, and not drag along another quarter or half a century in most of the improvements, as has been the case. Take the Harlem River, 8 miles in length and with a commerce the last year of 9,998,021 tons, valued at \$270,210,309, and a contiguous population to be benefited of 850,000. It has been under way since 1874, nearly thirty-three years. The Borough of the Bronx, the upper part of the Eighteenth Congressional district, which I have the honor to represent, one of the five great subdivisions of New York City, has a population of over 300,000, an assessed valuation January, 1906, one year ago, of \$360,543,727. Its growth is phenomenal, increasing at the rate of 35,000 yearly, due to its great natural advantages. The new buildings erected in 1906 will approximate \$40,000,000 in value, mostly homes for the great middle class of our people, who are coming into the borough. New docks are being built and many more in contemplation, eventually making these waterways one solid line of wharfs and storehouses, thus giving relief to the congested state of affairs in the lower part of the city, now the center of great commercial activity. [Applause.]

When it is remembered that more than one-half of the foreign and coastwise trade enters or leaves the port of New York the importance of these waterways will be appreciated.

In addition to all this there will be a largely increased traffic from the Lakes and the great Northwest when the canal system of the State of New York, upon which \$101,000,000 is now being expended, is completed, which will be an accomplished fact in the next decade.

I desire to add as a part of my remarks the very able and interesting report made to the Hon. THEODORE E. BURTON, chairman of Rivers and Harbors Committee, under date of December 15, 1906, by the Hon. James L. Wells, of the North



Side Board of Trade, an organization of nearly 500 prominent business men in the Borough of the Bronx. Mr. Wells was for six years the president of this influential body of distinguished citizens and is an acknowledged authority on real estate, taxes, and assessments and the charter of Greater New York, having been one of its framers. [Applause.]

Now, with a growing sentiment all over this land of ours that the railroads are no longer able to carry the products of the country, no longer able to give relief in the way of fuel, as I have observed in the morning papers, in the West, where cities are suffering to-day from the severe cold, because of the inability of the railroads to carry the fuel necessary for those places; inasmuch as so distinguished a gentleman as James J. Hill, president of the Northern Railroad Company, in a recent letter stated that the improvement of our waterways was an absolute necessity if we desired to have the products of the country carried to the markets; if this is the case, and I think it is, the railroads being no longer able to perform the duties for which they were chartered and built, it is time, I should think, my colleagues, to do something to improve and complete the various waterway projects under way in order that these natural channels of commerce and trade may be able to come to the rescue of the railroads, especially in the matter of heavy freight, and be enabled to give what is necessary for the prosperity and comfort of its people. Not only that, but by the river and ocean methods we are enabled to carry freight, particularly heavy freight, so much cheaper—I think about eight times less than it can be done by railroads. Therefore I trust that the recent congress which met here in convention will have a salutary effect upon this body, so that larger sums may be appropriated for the improvement of our rivers and harbors under the direction of that able committee, a committee that has never been charged with any wrongdoing nor lack of interest in the matter, a committee that has given the best of their time and their ability to bring out bills which were for the benefit of the whole country. I trust, therefore, that this Congress will pass a bill during this session that will give the needed relief to the whole nation in the way of larger appropriations for the improvement of our rivers and harbors. [Applause.]

*Statement submitted by James L. Wells, representing the North Side Board of Trade of the city of New York, in favor of an appropriation for the completion of the Harlem Ship Canal.*

MR. CHAIRMAN AND GENTLEMEN: The North Side Board of Trade of the city of New York has requested me to respectfully submit for your consideration the following statements in favor of an appropriation for the completion of the Harlem Ship Canal.

#### 1. THE ADVISABILITY OF THE WORK.

*The nature of the improvement.*—This improvement consists in widening and deepening the channel of the Harlem River and Spuyten Duyvil Creek in the city of New York, so as to make a continuous ship canal connecting the waters of the Hudson River with those of Long Island Sound.

*This is not a new, local, or expensive proposition.*—It is one of the oldest and most meritorious projects of its kind in the United States.

*Always navigable streams.*—Ever since their discovery by the Dutch the Harlem River and Spuyten Duyvil Creek have been regarded as navigable streams. In colonial times and long afterwards they furnished the natural waterway for the farmers of Manhattan and the great territory beyond to transport their products and supplies to and from the city of New York. During our war for independence they were constantly used by the contending armies for the transportation of troops, munitions, and provisions to the numerous forts along their banks.

The available depth of the water in these streams before their improvement by the United States began was from 8 to 10 feet.

*Part of the canal system of New York.*—The improvement of these waterways formed an essential part of the original plan of Gouverneur Morris for connecting Lake Erie with the ocean. Governor De Witt Clinton, of New York, gave this project his hearty approval. He formulated the necessary legislation for its accomplishment by the State of New York, and would have secured its enactment had it not been for his untimely death.

*An arm of the sea.*—In 1837 the learned Chancellor Walworth judicially decided that "the Harlem River is a public highway and an arm of the sea." (Renwick v. Morris, 7 Hill, 575.) Vice-Chancellor McGoun in 1839 also decided in the Matter of the Water Commissioners that "the Harlem River is a navigable stream. The tide ebbs and flows through it. It is an arm of the sea." (3 Edwards Chancery Reports, 289-291.) The legislature of the State of New York also finally deemed it to be unwise to subject these waters to the control of private individuals or corporations desiring to improve their navigation and collect tolls.

*Comparative availability.*—The coast survey hydrographic charts and other official maps established the fact that the natural navigable capacity of the Harlem River compared favorably with any of the harbors on the Atlantic coast from Eastport, Me., to Jacksonville, Fla. Those competent to judge declared that the lower Harlem was a better stream for commercial purposes than the Seine at Paris. (See report of Hon. Andrew H. Green, New York park commissioner, 1868.) Others positively assert that it compared favorably with the Clyde at Glasgow, the Weser at Bremen, and the Elbe at Hamburg.

The public necessity of improving the Harlem River and Spuyten Duyvil Creek, and of converting these streams into a ship canal, was determined by the United States authorities in 1874, more than thirty-two years ago.

*A great convenience.*—In 1874 Congress made a small appropriation

for the survey of these streams. In 1875 Col. John Newton, United States engineer, in charge of the work, in his report to General Humphreys, Chief Engineer, United States Army, recommending the improvement, said "it would, if made, constitute a great convenience for vessels passing through the Harlem to Long Island Sound." He also said in his report, "it must be the depot for vast supplies of lumber, stone, brick, cement, lath, lime, and other building materials."

*Official investigations.*—Congressional committees, as well as the engineers of the War Department, have frequently examined and reported in favor of the improvement.

*A part of New York's harbor.*—The Board of Engineers, on December 7, 1892, answering certain questions submitted to them in reference to the improvement, said: "The Harlem River, in its natural and present condition, is a large and important part of New York's harbor, and offers location for wharves, manufactures, and shipyards superior to any unoccupied water fronts on Manhattan Island. The rapidly increasing demands of commerce and navigation preclude the notion that anything should be done to diminish the harbor accommodations." (See report of General Schofield, United States Army, to Senate Committee on Commerce.)

*Benefits resulting from the work.*—Secretaries of War have from time to time officially reported to Congress that the work already done has made a reduction in freight rates, increased the facilities for handling shipments, caused a material saving in the time and cost of transportation, and that the completion of the work would constitute a great convenience to vessels passing through the canal to Long Island Sound.

*Indorsements and petitions.*—The advisability of this improvement has been indorsed by the legislature of the State of New York, by the legislative department of the city of New York, by chambers of commerce, boards of trade, and other organizations, and by thousands of prominent business men in all the large cities between the Atlantic coast and the Mississippi River. The petitions are matters of official record.

*Further discussion unnecessary.*—The time has long since elapsed for a further discussion of the advisability of this important project. The General Government is already committed to the prosecution of the work to completion by the large sums of money it has already expended upon it and the heavy expenses it has imposed upon the city of New York.

If this improvement was advisable in 1874 and 1886, when authorized by the Government, it certainly is much more so now, with the extraordinary growth of the city, State, and nation in population, wealth, commerce, and manufacturing enterprises.

*The growth of city shows its necessity.*—The phenomenal growth of New York City north of Ninety-eighth street shows the necessity of this improvement. This growth alone would justify the most liberal expenditures by the General Government in order to facilitate commerce by the completion of the work.

In 1874, when Colonel Newton's plans were adopted by the War Department, the portion of Manhattan on the southerly and westerly side of the Harlem River was comparatively sparsely settled, and the assessed value of its real estate was only about \$70,000,000. Now its population is over 500,000, and the assessed value of its real estate is over \$700,000,000.

In 1874 the population of that part of the city of New York north and east of the Harlem River, now called "the Borough of the Bronx," was about 36,000, and the assessed value of its real estate was about \$22,000,000. Now upward of 350,000 people have their homes and their business interests in the Bronx, and the assessed value of its taxable real estate was, in January, 1906, \$360,543,727.

Since January 1, 1881, the estimated cost of new buildings erected in the Bronx has been approximately \$229,000,000. The cost of those erected during the past three years has been approximately \$90,000,000.

These figures show a total population on both sides of the Harlem River of over 850,000. This is a population greater than that of any one of sixteen States of the Union and greater than that of five of them combined. This is a population greater than that of the whole State of New York when the Erie Canal was first suggested.

These figures also show that the taxable value of real estate alone contiguous to the Harlem River is greater than the total combined taxable value of all the real and personal property in any one of thirty-four States of the Union and greater than that of eleven of our States together.

A growth so extraordinary as this in itself creates commerce, and the Harlem River, situated, as it is, in the center of this great population, is the natural carrier and its docks the storage and distributing depot for the bulky merchandise of this large and enterprising community.

*Why the improvement is advisable.*—We hold that the completion of this improvement is advisable for the following, among other, reasons:

1. It is in the interests of commerce, present and prospective, of the whole country, and especially of the Atlantic coast and the Great Lakes.
2. The United States Government is pledged to finish the work expeditiously, and as a condition precedent thereto has required the city of New York to comply with its terms and to expend large sums of money in furtherance of the project.
3. It will afford a new, shorter, and safer route for State and interstate commerce.
4. It will reduce the cost of transportation and save thousands of dollars annually in time and money.
5. It will enlarge the capacity of the harbor of New York by adding to it 8 miles of available water front.
6. It will assist in relieving the congestion of the docks in the lower part of the city of New York.
7. It has already and will continue to cause large transfer freight stations and new commercial and manufacturing interests to locate on either side of the improved ship canal.

#### 2. THE PRACTICABILITY AND PROGRESS OF THE WORK.

The geographical position of the Harlem River demonstrates the practicability as well as the advisability of converting that stream and its natural extensions, Spuyten Duyvil Creek and Bronx Kills into a ship canal.

No great engineering difficulties are connected with the project.

*The plans for the project.*—The original project was adopted by the War Department in 1874. The existing project was adopted June 18, 1878, and modified and enlarged October 7, 1886. These final plans provide for a continuous channel about 7 miles long, 400 feet wide, and 15 feet deep at mean low water, from the East River to the Hudson River, except about 1,300 feet north of High Bridge, where the width



was made 354 feet, and the rock cut through Dyckmans Meadow, where the width was reduced to 350 feet and the depth increased to 18 feet. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

**Progress of the work.**—Actual work under the existing plan on the improvement began in January, 1888, and has progressed slowly since that time. The work has been confined to the Harlem River and Spuyten Duyvil Creek. No actual work has yet been done on the Bronx Kills.

**What has been accomplished.**—The most expensive part of the work, namely, the rock cut through Dyckmans Meadow, has been completed. The engineer in charge, in his report for 1906, says work has resulted "in completing a channel 150 to 400 feet wide and 15 feet deep at mean low water from the Hudson River to the East River. From McCormick's Dam Bridge to the East River the width varies from 150 to 400 feet wide." (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

### 3. ESTIMATED COST OF PROJECT, AMOUNTS HERETOFORE APPROPRIATED, AMOUNTS ALREADY EXPENDED, AMOUNT NECESSARY TO COMPLETE THE IMPROVEMENT.

The estimated cost of the work for the improvement of the Harlem River and Spuyten Duyvil Creek is \$2,700,000. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

**Amounts appropriated.**—The appropriation for the improvement of the Harlem River have been made in inadequate installments, averaging about \$40,000 per year, as follows:

1874	\$11,000
1875	10,000
1878	300,000
1879	100,000
1888	70,000
1890	250,000
1892	175,000
1894	125,000
1896	125,000
1899	100,000
1902	75,000
1905	75,000

Total ..... 1,416,000

(See Report of Chief of Engineers, 1906, Appendix E, p. 956.)

The amount expended on this improvement from 1874 to the close of the fiscal year June 30, 1906, was \$1,332,551.91. (See Report of Chief of Engineers, 1906, Appendix E, p. 129.) This has been at the average rate of \$41,600 per year.

The amount required to complete the work, according to the report of the Chief of Engineers above mentioned, will be \$1,305,000, or less than the one-half of 1 per cent of \$270,000,000, the value of the tonnage carried on the Harlem Ship Canal during the year 1905. If appropriations in the future be made at the same average annual amounts as in the past, it will require thirty-one years longer to complete the improvement.

**The cost of maintenance.**—This can not now be determined, as the improvement is not yet completed. Engineers with whom we have consulted assure us that the cost of maintaining the improvement when finished will be comparatively light.

### 4. THE CHARACTER, AMOUNT, AND VALUE OF COMMERCE EXISTING OR REASONABLY PROSPECTIVE WHICH WILL BE BENEFITED BY THE COMPLETION OF THE HARLEM SHIP CANAL.

The character of the commerce on the Harlem is shown by the class of vessels using the river and by the great manufacturing establishments, the numerous railroad freight stations, large lumber, brick, coal, and other businesses established in or contiguous to the stream.

#### Vessels employed in trade on the Harlem, 1905.

Class.	Trips made.	Tonnage.	Draft.
Steamboats.....	33,882	50 to 541	Feet.
Sailing vessels.....	850	90 to 1,000	8 to 15
Barges, canal boats, and lighters.....	26,051	90 to 700	5 to 22
Total.....	59,683		4 to 30

(Report of Chief of Engineers, 1906, Appendix E, p. 957.)

The following statistics compiled from reports of the Chief of Engineers of the War Department show the character of commerce on the Harlem River during the years 1904 and 1905:

	Tonnage, 1904.	Tonnage, 1905.
Ashes, etc.....	263,495	278,419
Building stone.....	160,264	136,963
Brick.....	890,908	310,645
Cement, lime, and sand.....	193,556	471,600
Coal and other fuel.....	2,516,288	3,105,788
Fertilizers.....	14,328	
Fruit and farm products.....	3,103	5,102
Grain, flour, and feed.....	377,142	544,134
Hay and straw.....	72,858	20,836
Ice.....	172,493	200,402
Iron.....	25,065	63,188
Lumber and timber.....	127,216	304,634
Merchandise, general.....	4,264,077	4,506,500
Petroleum.....		51,850
Total tonnage.....	9,130,763	9,998,021

**The amount of commerce existing.**—The commerce of the Harlem River, which is steadily increasing, is so intimately connected with that belonging to the East River and New York Harbor that a separate statement can not be accurately made. Investigations instituted by the North Side Board of Trade show that the amount is much larger than that stated in the Report of the Secretary of War for the year 1905.

The average increase in the amount of freight handled by the larger shippers on the river who have reported to our board was in 1905 36 per cent over that of 1904.

The amount of tonnage and the value of the same carried on the Harlem River are shown in the following table compiled from the reports of the Chief Engineer of the War Department:

Year.	Tonnage.	Value.
1886.....	1,663,844	.....
1887.....	2,542,155	.....
1889.....	3,093,939	.....
1890.....	2,384,466	\$115,506,425
1893.....	5,910,376	190,149,712
1895.....	7,533,594	203,707,376
1903.....	6,910,386	282,186,100
1904.....	9,130,763	231,384,004
1905.....	9,998,021	270,210,309

The value of the tonnage carried on the Harlem in 1905 was \$270,210,309, an amount as large as the total combined value of all the taxable real and personal property of six of the States of the Union, and as great as that of the total taxable value of real and personal property in any one of seventeen of them.

Such an amount of commerce justifies every dollar spent upon the improvement of the important waterway. The demands for the completion of the work should not be ignored.

**Comparison of tonnage values.**—The value of tonnage transported upon the Harlem River in 1905 as compared with the total export and import trade of the United States with other countries during the same time is shown by the following table compiled from the Tribune and World Almanacs for the year 1906, said figures being taken from the Bureau of Statistics, Department of Commerce and Labor:

Great Britain.....	\$898,278,364
Germany.....	312,637,347
Asia.....	290,038,894
Harlem River.....	270,210,309
Mexico and West Indies.....	250,804,613
France, Spain, Portugal, and Africa.....	230,977,815
Central America.....	230,164,294
South America (all countries).....	207,661,966
British America.....	206,672,457
Belgium, Netherlands, Sweden, Norway, and Denmark.....	191,699,916
Switzerland, Italy, Austria, Turkey, and Russia.....	163,350,622

**The congested condition of the river.**—The commerce of the river has increased so rapidly and become so immense that navigation below One hundred and forty-ninth Street Bridge has become dangerously congested and accidents involving serious loss, delay, and inconvenience are of frequent occurrence. The numerous foreign and domestic craft now using the canal are also larger in size than formerly, and they require for their accommodation a channel wider than that which now exists.

### 5. THE AMOUNT OF COMMERCE REASONABLY PROSPECTIVE WHICH WILL BE BENEFITED BY THE IMPROVEMENT OF THE HARLEM RIVER.

At the inception of the work Colonel Newton in speaking of the advantages of the improvement to commerce said in his report of February 18, 1875: "It is simply impossible to foresee the effects, save in a general way; but it seems to me quite as easy to err by assigning too little as too much importance to the subject." (Annual Report of Chief of Engineers, 1875, Appendix Y, p. 39.) In 1890, two years after the actual work of improvement begun, the freight carried on the Harlem amounted to 2,384,466 tons. In 1905 it was 9,998,021 tons, an increase of over 300 per cent in fifteen years. It is reasonable to assume that with the growth of the city of New York the commerce of the Harlem will continue to increase at the same rate in the future. If it does the tonnage at the end of the next fifteen years, or in 1920, will be over 40,000,000 tons, almost equal to the tonnage of the Great Lakes that passed through the famous St. Marys Canal in 1905. The enlargement of the canals of the State of New York for the passage of 1,000 ton barges, the development of the freight transfer stations of the New York Central, New York and New Haven, Pennsylvania, Baltimore and Ohio, Erie, Lehigh Valley, New Jersey Central, and Lackawanna Railroads already located on the banks of the Harlem, the improvement of Bronx Kills and the general increase in the commerce of the country are indications that the above estimate is not exaggerated.

### 6. THE UNITED STATES PLEDGED TO COMPLETE THE IMPROVEMENT.

We hold that the National Government is bound to complete the improvement of the Harlem River, Spuyten Duyvil Creek, and Bronx Kills without further delay, for the reason that before commencing the work it imposed upon the State and the city of New York expensive terms and conditions with which they have fully complied.

The terms imposed by the United States are contained in the following extracts from official reports:

In Colonel Newton's report to Gen. A. A. Humphreys, Chief of Engineers, dated February 18, 1875, he says:

"As it may be necessary, in order to carry out the plan of improvement, to encroach upon lands under water, or structures erected upon what was once the bed of the river, it would seem but just that the authority, whether the State of New York or the city, which has made the grant or concession tending to prevent the feasibility or impair the excellence of the improvement of the river should make reparation to the individuals concerned." (Annual Report of Chief of Engineers for 1875, Appendix Y, p. 42.)

In the same report Colonel Newton also recommended:

"If Congress shall deem it advisable to prosecute this improvement, that the Government absolutely forbid the erection of any more bridges having piers within the waterway of the improved rivers, or not constructed of height sufficient to permit navigation without the use of draws; as to existing bridges, except High Bridge, it is recommended they should be got rid of as speedily as the laws under which they have been erected will permit." (Annual Report of Chief of Engineers for 1875, Appendix Y, p. 48.)

In his official report to General Humphreys dated February 10, 1876, Colonel Newton said:

"I beg leave to reiterate the substance of what was said in the previous report of the necessity, before work is actually begun, of a clear understanding and definite agreement concerning the character of future bridges and of the modification of existing ones, the depth at which all tunnels shall be driven, and the settlement of land damages." (See Report of Chief of Engineers, 1876, Appendix D, p. 19.)

The Secretary of War adopted the recommendations of Colonel New-



ton, and decided not to proceed with the work of constructing the ship canal until the State and the city of New York erected proper laws for ceding to the United States the lands necessary for widening the streams and the protection of the improved channel.

In an official report dated January 5, 1880, addressed to Gen. H. G. Wright, Chief of Engineers, United States Army, Colonel Newton said that should the amount then appropriated and available be devoted to the commencement of the work "the very fact pledges the Government to complete it, because an incomplete improvement would be a positive injury to the whole neighborhood."

In commenting upon this letter General Wright, in his report to the Secretary of War, said: "There is much force in Colonel Newton's statement, and if his wishes can be carried out the work will be accomplished with economy and dispatch and in the best possible way for all interests concerned."

Secretary of War Ramsey, in transmitting this correspondence to the United States Senate, said:

"The Department fully coincides with the views of Colonel Newton, and respectfully requests action in accordance with his recommendations."

By chapter 907, United States laws of 1890, the sum of \$250,000 was appropriated for continuing the improvement, and "the Secretary of War is directed to cause the low bridges now crossing said Harlem River to be replaced by other bridges at the expense of the owners thereof as soon as the necessary legislation, if any such legislation be necessary, shall have enabled the change in grade to the approaches to said bridges thus required to be made, the owners of said bridges being allowed a reasonable time in which to complete the work necessary for said approaches. Said bridges shall leave a clear space between the under sides thereof at high water of spring tides of 24 feet and shall be provided with draw spans of the width and length to be determined by the Secretary of War, and shall in all respects comply with this law and conform to the requirements of the Secretary of War."

#### THE STATE OF NEW YORK HAS COMPLIED WITH THESE CONDITIONS.

It was my privilege to represent the upper part of the city of New York in the legislatures of 1879 and 1880 and to introduce and assist in enacting the measures suggested by Colonel Newton and required by the Congress of the United States for the protection of the improved channel of the Harlem River, Bronx Kills, and Spuyten Duyvil Creek. They constitute chapter 345 of the laws of 1879 and chapter 65 of the laws of 1880. These acts authorize and empower the city of New York to cede to the United States free of cost the lands necessary for the enlarged channel and to acquire by condemnation such private property as was necessary for the widened waterways. They granted to the United States concurrent jurisdiction over the aforesaid streams. They also provided that all bridges built across them should be not less than 24 feet above high-water mark of springtide, that the outlines and the size and height of their draws and other details should first be submitted to and approved by the United States engineers in charge of the harbor of New York and by the Secretary of War. The State has also compelled all railroads crossing the Harlem and its extensions to remove their low bridges or to build new and higher ones or tunnels, and to raise or lower their roadbeds. All of these requirements were imperative in order to comply with the plans of the War Department.

#### NEW YORK'S CONTRIBUTIONS TO COMMERCE.

In addition to this the State of New York has made the most magnificent contributions to the commercial interests of the nation.

Over three-quarters of a century ago the State of New York, at a cost of \$7,143,789, constructed the Erie Canal from the Niagara to the Hudson River. Its enlargement in 1836-1862 cost the State \$44,465,414. The State has annually expended large sums for its maintenance and improvement. This artificial waterway, 363 miles in length, has furnished cheap and convenient transportation for the products of the great West to the seaboard as well as for those of our own State. This grand artery of commerce is owned by the people. It is operated by the State. It can not be merged into any pool. Neither can its stock be watered.

Ten years ago the people of the State of New York voted to expend \$9,000,000 for the improvement of their canals. Up to and including the appropriations of 1895 the total cost of constructing and improving the Erie, Oswego, and Champlain canals has been about \$118,000,000.

On November 3, 1903, 673,010 electors of the State of New York, a majority of over 245,000, voted in favor of the proposition to expend \$101,000,000 for the enlargement of these canals, so as to permit the passage of 1,000-ton barges. This work will be commenced during the coming year. It is the most stupendous scheme of internal improvement that has ever been proposed in any commonwealth in this country, and it has few parallels in the history of the world.

The city of New York has complied with the contract. The city of New York has complied fully with the terms of the compact since the United States assumed absolute control of these waterways. It has ceded to the United States without cost the lands of the municipality needed for widening the Harlem. (See deed in comptroller's office, New York City, book B, p. 61.) In order to comply with the conditions imposed upon it the city of New York did loan its credit by the issue of bonds for the purchase of private property needed for the improvement. During the past twenty years the city of New York has expended over \$12,500,000 in removing existing bridges and constructing new ones across the Harlem River. The cost of these bridges has been largely increased because of the greater width of draws and the increased height of the structures and the approaches thereto to comply with the requirements of the War Department. During the coming twenty years, or even in less time, the city of New York will be required to expend at least \$12,500,000 more in order to complete additional new bridges across the Harlem, the expense of which will also be largely enhanced by the requirements of the United States authorities. The city is now spending \$2,500,000 in rebuilding a bridge across the Harlem at Madison avenue and a large sum for a bridge at Fordham Heights. It is estimated that the amount annually raised by the city of New York by taxation to pay the interest on bonds issued by it for the construction of new bridges across the Harlem River built in conformity with the plans of the War Department is nine and one-half times the average annual amount appropriated by Congress since 1874 for the improvement of the Harlem Ship Canal.

What property owners have contributed.—The owners of real estate in the upper part of the city of New York contiguous to the Harlem Ship Canal have also contributed largely to the improvement of that waterway in the amounts paid in greatly increased taxation and local assessments, made necessary for the acquisition of and damages done to private property, for the construction of new bridges, viaducts, and approaches, and the reregulating, regrading, and repaving of existing streets and avenues and the opening of new thoroughfares.

Among other things they have suffered their property to be assessed locally over \$1,000,000, namely, \$258,892 for acquiring private lands necessary for constructing the Harlem Ship Canal (see report and order confirming same, New York county clerk's office in matter petition of U. U. entered July 9, 1886) and \$750,000 for a portion of the cost of reregulating and regrading Park or Fourth avenue above One hundred and sixth street in order to enable the New York Central Railroad to cross the river at the elevation required by the War Department.

These large expenditures by the city of New York and its property owners are entitled to the most serious consideration of the Congress of the United States.

#### 7. THE COMPLETION OF THE HARLEM SHIP CANAL IS A MATTER OF GREAT NATIONAL IMPORTANCE FOR THE FOLLOWING REASONS IN ADDITION TO THOSE HERETOFORE MENTIONED IN THIS MEMORANDUM:

1. Because it affects the commercial, agricultural, and manufacturing interests of the whole country. The Harlem is a part of that wonderful center of activity and development, the port of New York, the greatest shipping port of the world. "To this port," to quote the words of a distinguished Secretary of the Treasury, "80,000,000 of people bring \$30,000,000 of the surplus products of their farms, \$5,000,000 of the surplus of their forests, \$30,000,000 of the surplus from their mines, and more than \$200,000,000 of their manufactures. From this port the same people carry inland \$560,000,000 imports, and to the collector of this port is paid \$165,000,000, 65 per cent of the customs duties of the nation."

2. Because the commerce of the Harlem is a large and constantly increasing part of the coastwise trade of the United States, extending along the Atlantic, a trade unequaled anywhere on the waters of the globe and vastly more valuable to our people than all our foreign commerce.

3. Because upon the peaceful waters of that stream there is now carried by the swift steamer, the three-master schooner, and by the commodious lighter, canal boat, and barge the products of the forest, the field, the mine, and the factory amounting in round numbers to 10,000,000 of tons and valued at over \$270,000,000.

4. Because the value of the tonnage carried on that busy stream is to-day greater than the value of the whole export and import trade of the United States with any portion of the world except Great Britain, Germany, and Asia, as has already been shown.

5. Because that stream and its natural extensions, Bronx Kills and Spuyten Duyvil Creek, are essential parts of the canal system of the State of New York, that great continuous and free waterway extending from Duluth to the Atlantic.

6. Because nearly a million people—a population greater than that of any one of sixteen States of the Union, and larger than that of five of them combined—have located their homes and business enterprises on the banks of that stream. Situated as it is, in the center of this great population, the most rapidly growing community in the United States, it is the natural carrier for the provisions that feed this people, for the lumber, the iron, the stone, the brick, the lime, and the other materials that enter into their vast building operations, and for the fuel that heats and lights their homes and places of employment and produces the power that turns the wheels of their busy industries and propels their elevated, surface, and underground railway cars. The docks of this stream are the storage and distributing depots of the bulky merchandise that enters into the daily life and activities of this large and enterprising community.

#### 8. FURTHER DELAY UNWISE.

Only a comparatively small expenditure is now necessary to complete the Harlem Ship Canal. More than 60 per cent of the work has been done. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 956.) The completed improvement will benefit more States and greater agricultural, commercial, and manufacturing interests than the improvement of any similar waterway in the Union.

It would be a parsimonious and shortsighted policy for the National Government to delay any longer the completion of this important commercial artery. The longer it is delayed the greater will be the inconvenience and injustice to the State and to the city of New York and to the varied interests of the whole country.

Mr. STEPHENS of Texas. How much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. STEPHENS of Texas. I yield back that time, as no one desires to speak on this side.

Mr. CURTIS. I yield two minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Chairman, I simply wish to call the attention of the chairman of the committee to this. The bill of last session, which I had in my mind when I made my inquiry of him in reference to the increase of \$100,000, it seems upon examination of the Record that there was an increase in appropriation of \$100,000 in connection with the Indian police, as appears from this colloquy between myself and the chairman.

Mr. CURTIS. But not an increase in the number.

Mr. LITTLEFIELD. Not an increase in the number. [Reading:]

Mr. LITTLEFIELD. That is offset by the salary or wages of the police department.

Mr. SHERMAN. Yes; very largely; an increase of \$100,000 for Indian police.

Mr. LITTLEFIELD. Does not that increase the number?

Mr. SHERMAN. No; only the compensation.

Mr. LITTLEFIELD. What is the occasion for that?

Mr. SHERMAN. The occasion of the increased appropriation is that the Commissioner found he could not retain the services of the best men at the former compensation, which was \$15 a month for a captain and \$10 a month for a private. He recommended the increase so that he could pay \$25 a month for a captain and \$15 a month for a private.

Mr. LITTLEFIELD. And the aggregate result is \$100,000?

Mr. SHERMAN. One hundred thousand dollars; but the gentleman must remember that these officers furnish their own horses. They are largely used to restrain the traffic in liquor.

While I perhaps made an inadvertent reference to that, I wish to explain to the chairman that that was the increase I had in mind when I made the inquiry.



Mr. SHERMAN. I was out when the gentleman from Maine began reading. This is no increase in the number.

Mr. LITTLEFIELD. I so understand it.

Mr. SHERMAN. But I notice that I answered you last year that they received nothing other than their monthly stipend; I do not know how I could have made that answer. I was in error in that respect. They are furnished their uniforms, and they are also permitted to get rations at the agencies at cost price.

Mr. LITTLEFIELD. The question and answer that practically covers the whole thing is this:

Mr. LITTLEFIELD. Do they get anything in the way of compensation by the way of being found?

Mr. SHERMAN. No; they are not found.

Mr. LITTLEFIELD. They get their food and supplies at cost price?

Mr. SHERMAN. Yes.

Mr. LITTLEFIELD. So that does cover the food and supplies proposition, and as I understand the gentleman now, they are furnished their uniforms in addition to their compensation.

Mr. SHERMAN. Yes; they are in addition. We did not last year increase the number of officers at all, but we increased the compensation because the Commissioner had found that he could not obtain the best men in the tribe at the old compensation of fifteen and ten dollars.

Mr. LITTLEFIELD. I have been advised since I made the inquiry of the chairman in regard to the increase of officers that there is only one increase of officers provided in the bill, a superintendent.

Mr. SHERMAN. A superintendent of irrigation.

Mr. LITTLEFIELD. Yes.

Mr. SHERMAN. Yes; that is all.

Mr. LITTLEFIELD. What is the salary of that officer?

Mr. SHERMAN. I think it is \$3,000.

I ask for the reading of the bill, Mr. Chairman, if the minority have consumed their time.

The Clerk read as follows:

*Be it enacted, etc.,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are specially provided for herein for the service of the fiscal year ending June 30, 1908, namely:

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. The gentleman from New York [Mr. GOULDEN] has, as usual, clearly elucidated the importance of an increased appropriation for rivers and harbors in his speech a few moments ago, and I am going to take a half minute of five minutes of time and ask him a question or two and let him take the balance of my time in answering them. How are we going to get the money now to do all this increased river and harbor work? The gentleman has studied the matter, and I trust he will answer and give to the House and to the country the benefit of his investigations.

Mr. GOULDEN. There are two ways of doing it, and one is by economizing in appropriations and other expenditures of the Government in which I think we are rather lavish.

Mr. GAINES of Tennessee. In what?

Mr. GOULDEN. In yearly amounts for the Army and the Navy, as an illustration; and secondly, by making posterity, which will be largely benefited, assist in paying for a part of these improvements by the issuance of bonds.

Mr. GAINES of Tennessee. Does the gentleman ask a reenactment of the Spanish war tax, or a part of it, to raise a part, at least, of the desired revenue?

Mr. GOULDEN. No.

Mr. GAINES of Tennessee. Does not the gentleman think it would be a good idea to do that?

Mr. GOULDEN. I think it would be an excellent idea to do that rather than to issue bonds.

Mr. GAINES of Tennessee. Does the gentleman remember all of the articles that were taxed in that law?

Mr. GOULDEN. Yes; but allow me to make another suggestion. I think we should favor the enactment of an inheritance tax, as was ably set forth the other day by my colleague from New York [Mr. PERKINS].

Mr. GAINES of Tennessee. We did that in the Spanish war tax and also taxed telegrams and bills of lading, checks, etc., and tried to tax express receipts, but the express companies wormed out of that, and did not pay anything to carry on that war; and in addition we could tax stock-exchange trades that are so often and rapidly made, and a thousand and one things that would not depress the people, and yet the people would get the full benefit of the revenues coming from such a law. In addition to that my idea was—

Mr. GOULDEN. I would say, in reply to the distinguished gentleman from Tennessee [Mr. GAINES], that in the State of

New York we tax stock transfers and find it quite a beneficial thing in the way of raising revenues, and I should not oppose it.

Mr. GAINES of Tennessee. Has the gentleman ever found anybody who said that he was oppressed by what is known as the "Spanish war tax?"

Mr. GOULDEN. No; I think not. My only regret is that the express companies escaped that, and they certainly should not be allowed to do so in the future should such a tax be enacted.

Mr. GAINES of Tennessee. Now, if we would reenact at least parts of that tax law and call it a "river and harbor tax" in *haec verba*, and take the money therefrom and add it to what we usually have for rivers and harbors and what we may economize on and get along the line you have suggested or without that, it does seem to me that in a short while we would accumulate regularly, yearly, an immense fund of money here that could be spent on our rivers and harbors, and when the people saw it going into the rivers and harbors, as they saw fit, as with the rural routes of the country, I think they would be satisfied and quickly and greatly benefited.

Mr. GOULDEN. I agree with my friend from Tennessee, and would say, as an illustration, that the river, the Bronx, which I have been talking about, had a commerce in 1903 valued at \$270,000,000, and it was more than thirty-two years since the Government first began the improvement. It was no fault of the River and Harbor Committee of Congress, but that lies with the Congress itself in not appropriating a sufficient sum of money to complete this and other projects that are now under way, and this is one of the most important.

Mr. GAINES of Tennessee. We would save a great deal of money, in the judgment of our engineers, and our own common sense teaches us that if we appropriate enough money to build a lock or dam, if we would continue their building right along without stopping, we would save money, because there is a great deal of money lost by stopping, reemploying labor, and so forth. I know what has occurred down in my State. They have been delaying the locks and dams on the Cumberland River, and I was told by my good friend Mr. Bryan, of Nashville, who is chairman of Cumberland River Association, that the alluvial soil has accumulated by the acre around the locks and dams and a very wise farmer had put a fence around it and is raising crops on it.

Mr. GOULDEN. I heard the statement the farmer was cultivating the soil over and around the dam, and that is costing the Government many thousands of dollars. I agree with the gentleman from Tennessee [Mr. GAINES] that something ought to be done and at once, and in my judgment it's up to this body and the Senate to do it. [Applause.]

The Clerk read as follows:

SECRETARY.

That hereafter no purchase of supplies for which appropriations are made in any Indian appropriation act, exceeding in the aggregate \$500 in value at any one time, shall be made without first giving at least three weeks' public notice by advertisement, except in case of exigency, when, in the discretion of the Secretary of the Interior, who shall make official record of the facts constituting the exigency and shall report the same to Congress at its next session, he may direct that purchases may be made in open market in amount not exceeding \$3,000 at any one purchase: *Provided*, That supplies may be purchased, contracts let, and labor employed for the construction of artesian wells, ditches, and other works for irrigation, in the discretion of the Secretary of the Interior, without advertising as hereinbefore provided: *Provided further*, That as far as practicable Indian labor shall be employed and purchase in the open market made from Indians, under the direction of the Secretary of the Interior.

Mr. MANN. I reserve the point of order upon that paragraph, and would like to inquire of the gentleman in charge of the bill what is the object of carrying this out in the bill?

Mr. SHERMAN. It is made continuous in this bill. If the gentleman had been present when I explained the bill he would have understood what its object was. Year after year this provision and certain others have been carried in the bill relating simply to the current year, and it seemed to us that it lumbered the bill with a lot of stuff after Congress had a dozen or twenty or thirty times decided upon the proposition and set out that provision in the bill. Now, this year by putting in the word "hereafter," if it becomes law, it will not be necessary after this to carry it in the bill.

Mr. MANN. I did not hear the explanation of the gentleman, but it seems a rather serious proposition to give the Secretary of the Interior, as permanent law, power to make these purchases without advertising.

Mr. SHERMAN. Well, that is a limited purpose; limited in amount, you will discover, when contingencies arise where there is not time to advertise; and then he has to make a report to Congress. We have carried that same provision in every appropriation bill for the dozen years that I have had anything to do with it.

Mr. MANN. I understand. I have been inclined to make the

point of order to it in previous years and have called attention to it before. This would put it practically beyond the power of Congress to prevent the Secretary of the Interior from purchasing goods without advertising as he may please.

Mr. SHERMAN. No; because when Congress desires to put that limitation upon an appropriation bill they can do so. But rather than have it in the bill every year, making the bill more lengthy than necessary, we thought it was best to make it continuous. Now, the moment Congress desires that limitation inserted it can do so.

Mr. MANN. What limitation?

Mr. SHERMAN. That this limitation should be taken away, they can reinsert the necessary provision.

Mr. MANN. No; it would be subject to a point of order.

Mr. SHERMAN. Not if it is a limitation.

Mr. MANN. I do not know any form in which you could frame a limitation covering the subject.

Mr. SHERMAN. I think the gentleman would be able to draw a limitation covering any appropriation in the bill for any year. If he can not, I will draw it.

Mr. MANN. I am not only certain that the gentleman or myself can not do it, but I do not think there is a single gentleman who can do it and it not be subject to the point of order.

Mr. SHERMAN. I have been able to do it whenever I thought it was necessary.

Mr. MANN. For the present I will insist upon the point of order.

Mr. SHERMAN. The gentleman does insist upon the point of order?

Mr. MANN. I have no objection to it going in for the year.

Mr. SHERMAN. Well, if the gentleman will move an amendment striking out "hereafter," in line 17, page 2, he accomplishes his purpose.

Mr. MANN. I insist upon the point of order, and the gentleman can offer an amendment and leave out the word "hereafter."

Mr. SHERMAN. Very well; we will have it that way.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SHERMAN. Then, Mr. Chairman, I move to reinsert the provision striking out the word "hereafter," in line 17, and in line 18 strike out the words "in any Indian appropriation act" and insert in lieu thereof, after the word "made," "hereafter."

The Clerk read as follows:

Reinsert the provision after striking out, in line 17, page 2, the word "hereafter," and in line 18 striking out the words "in any Indian appropriation act" and insert in lieu thereof the word "hereafter."

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

The Clerk read as follows:

That hereafter whenever after advertising for bids for supplies in accordance with the immediately foregoing paragraphs, those received for any article contain conditions detrimental to the interests of the Government, they may be rejected, and the articles specified in such bids purchased in open market, at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same, until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made: *Provided*, That so much of the appropriations of any annual Indian appropriation act as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the fiscal year for which such appropriations are made, shall be immediately available, upon the approval of such act, but no such goods or supplies shall be distributed or delivered to any of said Indians prior to the beginning of such fiscal year.

Mr. MANN. I raise, or reserve, the point of order on the paragraph read. The latter part of it I have no objection to, but it seems to me that instead of putting into permanent law some of these provisions of the bill it is desirable that the policy of the Government that goods shall be obtained after advertisement should be adhered to in the Indian Service more fully than it has been in the past.

Mr. SHERMAN. I understand the gentleman to raise the point of order against the paragraph beginning with line 20 on page 4.

Mr. MANN. Yes.

Mr. SHERMAN. Of course it is legislation and was so intended. If the gentleman insists on his point of order, I assume that it will be sustained, and then I shall be obliged to offer, as I did in the other case, the same provision, to apply simply to this year's bill.

Mr. MANN. So far as the latter part of the paragraph is concerned, commencing with the word "*Provided*," I have no desire to raise the point of order on that, if the gentleman cares to except it.

Mr. SHERMAN. Very well, then, make your point of order against the first part of it, if that is your determination.

Mr. MANN. I make the point of order, Mr. Chairman, upon the paragraph commencing with line 20 on page 4 and ending with the word "made" in line 3, page 5.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SHERMAN. Then, Mr. Chairman, I will offer an amendment to cover that. In this instance, I think, the question is covered by simply striking out the word "hereafter" in line 20. So I move to insert in the bill the provision now covered in lines 20 to 25 on page 4 and lines 1 to 3 on page 5, omitting the word "hereafter" in line 20 on page 4. That makes it apply simply to this year's bill.

Mr. LACEY. Then, Mr. Chairman, I move to insert the word "hereafter" after the word "that," in line 3, page 5. I understand the gentleman from Illinois to make no objection to that.

Mr. SHERMAN. I did not catch what the gentleman from Iowa said.

Mr. LACEY. I move to insert the word "hereafter" after the word "that," in line 3, page 5, so as to have the remainder of the paragraph become a part of the permanent law; so that it will not have to be reenacted every year.

Mr. SHERMAN. Let us get that as a separate amendment.

Mr. LACEY. I understood the gentleman from Illinois to say that he would not object to that.

Mr. MANN. I am inclined to raise the point of order against both of them, as far as that is concerned.

Mr. SHERMAN. My amendment is to reinsert what was stricken out on the point of order, with the exception of the word "hereafter," line 20, page 4.

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

Mr. MANN. Mr. Chairman, I raise the point of order upon the amendment. It has not yet been reported.

The CHAIRMAN. The Clerk will report the amendment to which the gentleman makes the point of order.

The Clerk read as follows:

Insert in lieu of the matter stricken out the following: "That whenever, after advertising for bids for supplies in accordance with the immediately foregoing paragraphs, those received for any article contain conditions detrimental to the interests of the Government they may be rejected, and the articles specified in such bids purchased in open market, at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same, until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made."

Mr. MANN. Mr. Chairman, I make the point of order that that is out of order, as it changes existing law. If the gentleman desires to state his reasons, I will reserve the point. The fact that this provision is in the current law of course makes no difference. If there is no statute authorizing it, it can not go in.

Mr. SHERMAN. It is a provision which simply relates to the appropriation made for the current year in this bill. Surely the gentleman does not maintain that we can not do that.

Mr. MANN. If the provision would change existing law, then it is subject to the point of order. It is not a limitation, and there can not be any pretense that it is. It is an enlargement of the power of the Secretary and not a limitation upon his power.

Mr. SHERMAN (reading)—

Whenever, after advertising for bids for supplies in accordance with the immediately foregoing paragraphs—

Mr. MANN. It practically amounts to authorizing something which the law does not now permit. If there is any special reason for that, the gentleman may state it. Unless there is some good reason for it, it seems to me to be better when we require Government officials to advertise for bids not to make an exception in favor of certain Government officials as to certain bids.

Mr. SHERMAN. The reason is perfectly plain. It is stated in the terms of the paragraph itself, it seems to me. Whenever, after advertising for bids, those received for any article contain conditions detrimental to the interests of the Government they may be rejected, and before readvertisement for resubmission of the bids such purchases may be made temporarily to supply the temporary necessities of the case.

For instance, the Department advertises for bids supplying vaccine. That is one article appropriated for in this bill. The bid is unsatisfactory and it is rejected. Now, an epidemic of smallpox is on, and is the Secretary or Commissioner to be precluded from buying enough vaccine to be used during the time that he is advertising for new bids?

Mr. MANN. That is covered by the other paragraph we adopted.

Mr. SHERMAN. I do not think so.

Mr. MANN. That provides for the exigency.

Mr. SHERMAN. Where?

Mr. MANN. On page 2, which was adopted. There was an express provision that in case of an exigency he may buy with-



out bids and report to Congress, but here is a provision that he may buy without bids and make no report to Congress.

Mr. BURKE of South Dakota. I desire to ask the gentleman if his attention has been called to the current law as it was enacted in the last appropriation bill?

Mr. MANN. Oh, yes.

Mr. BURKE of South Dakota. Then this is only reenacting a law that has been enacted, is not that true?

Mr. MANN. It is to practically extend for another year what is now the law. That is true; it is not to reenact a law, because if it was a law for the ensuing year it would not need to be in here. What is the purpose of it? I have heard a great many complaints as to the way supplies were purchased by the Indian Department. I do not know whether they were occasioned by this provision or not.

Mr. BURKE of South Dakota. That is not the question; the question is on the point of order.

Mr. MANN. I may say to my distinguished friend from South Dakota that I am willing to submit the point of order without saying anything on my side, because it is so perfectly plain that it ought not to be subject to a point of order.

Mr. SHERMAN. With the preceding provision modified, I must concede that the point of order is well taken against the wording as I presented it. I will withdraw the amendment if there is no objection.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. SHERMAN. Now, Mr. Chairman, I offer this: "That hereafter, whenever after advertising for bids or supplies in accordance with this act those received for any article contain conditions detrimental to the interests of the Government, they may be rejected," etc. I am sure the Chair will hold that that is in order.

Mr. MANN. Has the amendment been reported, or will it be? I will make the point of order on the amendment at the proper time.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Instead of the matter stricken out on the point of order insert the following: "That hereafter, whenever after advertising for bids or supplies in accordance with this act those received for any article contain conditions detrimental to the interests of the Government," etc.

Mr. MANN. That is not a limitation upon the appropriation at all. That is an extension of the power of an officer, a power which he does not now possess; it is not a limitation. Putting something in the bill because it relates to a current provision is equivalent to saying that you can enact any new law, extend the power of an official; that could not be done in an appropriation bill.

As to the first part of the paragraph, I assume that it might not be subject to a point of order because I do not think it changes existing law. They now have the power to reject bids that they do not like, and have the power to reserve the right to reject bids. It is not necessary to say in the bill that they should have that power to reject bids. It is not necessary to say or to give them the power that where conditions are detrimental to the interests of the Government they may reject the bids. They have that right under the law. The other part of the paragraph, providing that if the bids are not what the Secretary wants he can buy regardless of bids, changes the existing law, and ought not to be inserted unless a good reason is given for it. So far no reason has been given.

Mr. SHERMAN. If the gentleman will excuse me, I stated a reason, but the gentleman from Illinois may not consider it a good reason. I do not care to waste the time, Mr. Chairman, in further discussion on the point of order. I have stated my contention, and I am ready to take the ruling of the Chair on it, whether it be to leave the provision in or strike it out.

Mr. MANN. I would not say, Mr. Chairman, that any reason the gentleman from New York gave was not a good reason. Whatever else I might say, I would never say that anything which the gentleman from New York said was not good, for he never does anything but the best.

The CHAIRMAN. The Chair is ready to rule. So far as this provision in this amendment is concerned, it gives positive authority to purchase goods in the open market, and it is not to that extent in the nature of a limitation. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, \$1,300,000.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Add in line 17, page 6, the following:

"Provided, That nothing contained in this paragraph of the bill shall authorize the money herein appropriated to be expended for the support or education of any children of Indian blood whose parents have become citizens of the United States under existing laws and are no longer the wards of the Government; and the education and maintenance of such children are hereby relegated to the States or Territories where such Indian citizens reside."

Mr. SHERMAN. Mr. Chairman, I make the point of order against that amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I do not think it is subject to the point of order, for the reason that it states simply how this money shall be expended.

The CHAIRMAN. The Chair will sustain the point of order. The Clerk will read.

The Clerk read as follows:

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, under arrangements in which their proper care, support, and education shall be in exchange for their labor, \$70,000; *Provided*, That not exceeding \$5,000 of this amount may be used, under direction of the Commissioner of Indian Affairs, in the transportation and placing of Indian pupils in positions where remunerative employment can be found for them in industrial pursuits. The provisions of this section shall apply to native pupils brought from Alaska.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill whether it is possible for him at this time to inform us how much of this \$5,000 has been used and how much of it was for transporting children from Alaska into this country to obtain remunerative employment in industrial pursuits?

Mr. SHERMAN. Mr. Chairman, I can not state. I have no information before me from which I can give the gentleman the information that he desires.

The Clerk read as follows:

That hereafter all schools for whose support specific appropriations are made in any annual Indian appropriation act shall be classified according to the number of pupils appropriated for therein, as follows: Class 1, where such number is less than 100; class 2, where such number is not less than 100, but not more than 200; class 3, where such number is more than 200, but not more than 400; class 4, where such number is more than 400. The pay of the superintendents of said schools shall be fixed by the Commissioner of Indian Affairs on a scale corresponding to the classification herebefore directed, as follows: Superintendents of schools of class 1, not to exceed \$1,200 per annum; superintendents of schools of class 2, not to exceed \$1,600 per annum; superintendents of schools of class 3, not to exceed \$2,000 per annum; superintendents of schools of class 4, not to exceed \$2,500 per annum; *Provided*, That the foregoing provision as to pay of superintendents shall not apply to the school at Carlisle, Pa., as long as said school remains under the superintendency of an active army officer; *And provided further*, That the pay of any superintendent who performs agency duties in addition to those of his superintendency may be increased by the Commissioner of Indian Affairs, in his discretion, to an extent not exceeding \$300 per annum.

Mr. MANN. Mr. Chairman, I reserve the point of order on that paragraph. I would like to ask the gentleman in charge of the bill what would happen in case any pupils at a school should vary?

Mr. SHERMAN. Mr. Chairman, we appropriate for so many pupils in a school. Now, it can not vary above that amount. If we appropriate for 100 pupils the superintendent goes into a class of 100 or under. If we appropriate for 200, of course he goes into the second class. We might appropriate for 210, though we seldom appropriate in that way, for it usually goes by 25 or 50, and the average attendance where 210 is appropriated for might fall below 200, and in that case the superintendent might be in class 2 rather than in class 3.

Mr. MANN. Suppose you appropriate for 150 and there were only 75 there. What would be the classification?

Mr. SHERMAN. Class 1.

Mr. MANN. When is that to be ascertained?

Mr. SHERMAN. The Commissioner ascertains that in his own way.

Mr. MANN. At the beginning of the year or at the end of the year?

Mr. SHERMAN. I do not know how he could determine at the beginning of the year what the average attendance would be during the year.

Mr. MANN. I do not see how he could myself. Therefore I do not see how he could determine what would be the pay the superintendent would get until the end of the year.

Mr. SHERMAN. I assume he would determine the salary of the superintendent on the basis of our appropriation here. In other words, if we appropriated for 210 students or 250, he would hold that the superintendent was in class 3. In every case where we specifically appropriate we appropriate for so many children, and this provision applies only to the specially

appropriated for schools, the twenty-eight nonreservation schools; and had the gentleman been here when the bill was presented in general debate he would have heard what I said in reference to that.

Mr. MANN. I heard what the gentleman said, but I still was not sufficiently enlightened, being a little bit dull.

Mr. SHERMAN. Oh, I do not think the gentleman ought to say that. Nobody in the House will concede that he is correct about that. I will have to take issue with him.

Mr. MANN. I heard both the gentlemen discuss the matter.

Mr. SHERMAN. The salary I assume would be fixed by the Commissioner of Indian Affairs at the beginning of the school year, based upon the number of pupils appropriated for at each school.

Mr. MANN. If the gentleman will pardon me—I do not intend, I will say to the gentleman, now to insist on the point of order—it seems to me that that provision is going to get the whole system into great confusion if it ever goes into law in its present shape.

Mr. SHERMAN. Of course it is legislation. There is no dispute about that, but it is anything but getting the Department into confusion, I think.

Mr. MANN. There is no way of telling under this what the salary of a superintendent at a particular place is going to be.

Mr. SHERMAN. Why, it is certainly the easiest thing in the world. Turn to page 43 of the bill. We say, "For support and education of 700 Indian pupils." Now, that is a school of class 4. You can take page 41, "For support and education of 325 Indian pupils at the Indian school, Fort Totten." Of course that is of class 3. Take the page before that, page 40, "For support and education of 160 pupils at the Indian school at Cherokee, N. C." Of course that is a school of class 2, and so in reference to every one of these schools we appropriate specifically for so many pupils. Do I make myself clear to the gentleman?

Mr. MANN. Perfectly. Now, it will be upon that basis that the salary would be fixed?

Mr. SHERMAN. Undoubtedly.

Mr. MANN. Is there any limitation upon the number of pupils who may attend those schools?

Mr. SHERMAN. No. There is a limitation upon what shall be expended for the support of the children—that they can not expend more than \$167 on each pupil. You take a large school like Haskell, for instance, or Carlisle, or Phoenix, it is possible for the superintendent, and he does in fact, maintain more pupils than appropriated for, because it stands to reason that with a large attendance like that the expense per capita would be less than with a small number, like a hundred or a hundred and fifty, for instance.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

That any noncompetent Indian to whom a patent containing restrictions against alienation has been issued for an allotment of land in severalty, under any law or treaty, may sell or convey all or any part of such allotment, on such terms and conditions and under such rules and regulations as the Secretary of the Interior may prescribe, and the proceeds derived therefrom shall be used for the benefit of the allottee so disposing of his land, under the supervision of the Commissioner of Indian Affairs; and any conveyance made hereunder and approved by the Secretary of the Interior shall convey full title, the same as if fee-simple patent had been issued to the allottee.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee if the words "noncompetent Indian," found in line 23, on page 9, apply to minors; do I understand they would?

Mr. SHERMAN. I can not hear what the gentleman says.

Mr. JONES of Washington. I say the words "noncompetent Indian," on page 9, line 23, would include minor children, would it not, to whom allotments have been made?

Mr. SHERMAN. Certainly; if they were noncompetent.

Mr. JONES of Washington. They would be considered noncompetent within the law, would they not?

Mr. SHERMAN. It applies to noncompetent Indians whether minors or not.

Mr. JONES of Washington. I want to ask the chairman whether or not there is any doubt.

Mr. SHERMAN. No; there can not be any doubt.

Mr. JONES of Washington. That is what I thought. Now, I would like to ask the chairman of the committee if he would object to an amendment something like this in effect. There are a great many minor Indians who are heirs of deceased allottees. There ought to be some way by which their interests in the estate of the decedent could be disposed of without requiring probate court proceedings. I would like to see this amended by inserting on page 10—

Mr. SHERMAN. A bill was passed during last session, which was known as the "Burke bill," which accomplished just what

the gentleman desires to have covered. The gentleman from South Dakota, I think, can tell him all about it.

Mr. BURKE of South Dakota. Except, Mr. Chairman, it was thought when that law was enacted we could not legislate to effect anything that was in the past, that there was danger of meeting up with vested rights, and we could not legislate as to Indian allotment where the allotment had been approved, and any legislation that would tend to change that law might interfere with vested rights.

Mr. JONES of Washington. I do not understand the gentleman's bill covered minors. I have had this matter up lately in connection with the Yakima Reservation.

Mr. BURKE of South Dakota. My bill affects children as well as adult Indians that have taken allotment since the passage of that act, and provides that the lands of the deceased Indians may be conveyed to the heirs by name, or the Secretary of the Interior may cause the land to be sold and the Secretary of the Interior shall determine absolutely who the heirs are, and his action shall be in all respects final.

Mr. JONES of Washington. Does it affect the interests of minors also?

Mr. SHERMAN. Let me read the provisions of the Burke bill (reading):

That hereafter when an allotment of land is made to any Indian, and any such Indian dies before the expiration of the trust period, said allotment shall be canceled and the land shall revert to the United States, and the Secretary of the Interior shall ascertain the legal heirs of such Indian, and shall cause to be issued to said heirs and in their names a patent in fee simple for said land, or he may cause the land to be sold as provided by law and issue a patent therefor to the purchaser or purchasers, and pay the net proceeds to the heirs, or their legal representatives, of such deceased Indian.

Mr. JONES of Washington. That does not apply to allotments made prior to that act.

Mr. BURKE of South Dakota. No, sir; it does not.

Mr. SHERMAN. Of course not.

Mr. JONES of Washington. It ought to apply to all allotments which have already been made. On the Yakima Indian Reservation we have many minor heirs of deceased Indians. It seems to me there ought to be some provision by which their interests can be disposed of without their having to go into court.

Mr. CURTIS. There is a provision which authorizes the sale of inherited Indian lands.

Mr. JONES of Washington. It does not touch the interests of minors.

Mr. CURTIS. Yes; it does. The law provides that where there are adult heirs they may sell, and if there are minor heirs their interest may be sold through a guardian, but the conveyance is subject to the approval of the Secretary of the Interior.

Mr. JONES of Washington. What has that got to do with it? Why should it have anything to do with it?

Mr. CURTIS. That provision was put in the bill so that the interest of the minors might be fully protected, and by the proper court in the county in which he lives.

The CHAIRMAN. The time of the gentleman from Washington [Mr. JONES] has expired.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last two words. Now, I think those provisions that the gentleman has just referred to are included in the regulations of the Department. My recollection of it is that it provides for the disposition of the lands of deceased Indians, and it is a simple provision that these lands may be sold according to such rules and regulations that the Secretary of the Interior may prescribe. Now, if there is a provision that these lands can be sold without the interposition of the probate court, I am certainly satisfied, but I do not want any question about it. I think it ought to be provided in that way, and I was simply going to suggest an amendment here so as to cover the case of the minor heir of any deceased Indian's allotment. I have introduced a bill covering this subject and took the matter up with the Department. They do not understand that the law covers these matters and they are very anxious to have legislation of that character.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. JONES of Washington. Yes; certainly.

Mr. STEPHENS of Texas. I would ask if the gentleman does not understand lines 23 and 24 to mean that this only applies to patent cases containing restrictions?

Mr. JONES of Washington. Certainly.

Mr. STEPHENS of Texas. Patents already issued?

Mr. JONES of Washington. Certainly.

Mr. STEPHENS of Texas. And this provides two ways by which the Indians can alienate their land?

Mr. JONES of Washington. It provides a means by which a minor who has an allotment made to him can alienate his land.



Mr. STEPHENS of Texas. Would not this turn loose some of these Indian lands?

Mr. JONES of Washington. I am in favor of this. But I wanted to see if we could not broaden this a little and provide for the minor of a deceased Indian to sell his interest.

Mr. STEPHENS of Texas. I will suggest to the gentleman that we get what we can.

Mr. JONES of Washington. I suggest that we get this. I would like to ask, Mr. Chairman, that this paragraph be passed with the privilege of returning to it later on, if desired.

The CHAIRMAN. The gentleman from Washington [Mr. JONES] asks unanimous consent to pass this paragraph without prejudice. Is there objection? There was no objection.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STERLING having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendments joint resolution and concurrent resolution of the following titles:

H. J. Res. 203. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the 20th day of said month.

House concurrent resolution 45:

*Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, December 20, they stand adjourned until 12 o'clock meridian, January 3, 1907.*

#### INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

#### MISCELLANEOUS.

Telegraphing, telephoning, and purchase of Indian supplies: To pay the expense of purchasing goods and supplies for the Indian Service, including inspection and pay of necessary employees; advertising, at rates not exceeding regular commercial rates, and all other expenses connected therewith, and for telegraphing and telephoning, and for transportation of Indian goods and supplies, including pay and expenses of transportation agents and rent of warehouses, and warehouses for the receipt, storage, and shipping of goods for the Indian Service shall be maintained at the following places: New York, Chicago, Omaha, St. Louis, and San Francisco, \$315,000.

Mr. KENNEDY of Nebraska. I move to strike out the last word. I would like to ask the chairman of the committee a question or two with reference to this appropriation. I notice, Mr. Chairman, that the appropriation for the five cities of New York, Chicago, San Francisco, St. Louis, and Omaha is \$315,000. I wish to inquire on what basis that appropriation rests, so far as the city of Omaha is concerned?

Mr. SHERMAN. Mr. Chairman, as the bill passed the House last year this item was for telegraphing, telephoning, etc., \$260,000. The city of Omaha was specifically appropriated for, I think, on the motion of the gentleman from Nebraska, at \$10,000, and \$10,000 in another place was inserted for the support of the San Francisco warehouse, and \$10,000 for the St. Louis warehouse. In the Senate all of these provisions were stricken out, and this so-called blanket provision, covering all the warehouses, was inserted, and the \$30,000 which had been appropriated here for the three warehouses separately were added to the \$260,000, as it passed the House, making it in all \$290,000. Now, the appropriation this year is for \$315,000, with the expectation that it will more than support these three warehouses, but with the expectation also that the transportation of supplies will cost more this year than last year.

Mr. KENNEDY of Nebraska. Then the basis, as applicable to Omaha, is the same as the appropriation of last year?

Mr. SHERMAN. Quite so, and possibly more so, because there was a period during the fiscal year ending July last when, not in Omaha, but in another warehouse, the work had to be suspended because the specific appropriation allowed to that warehouse was exhausted. Now, under this blanket provision the work in no warehouse need be suspended, because there is ample provision to take care of them all; and if it took a little more to sustain the Omaha warehouse than it did at St. Louis, it is the purpose of this provision to provide the funds to carry it on.

Mr. KENNEDY of Nebraska. But the basis on which your bill rests is the same?

Mr. SHERMAN. The basis upon which this appropriation is made is \$10,000 for Omaha, the same as specifically provided for in the bill last year.

Mr. KENNEDY of Nebraska. Mr. Chairman, that is satisfactory to me. Because our business is constantly increasing, I was anxious that the amount should not be reduced as to Omaha. I withdraw the pro forma amendment.

Mr. MANN. I renew it. The gentleman in charge of the bill states that the amount was sufficient. Now, as a matter of fact, at one time during the last fiscal year the Indian warehouse at Chicago was almost closed up.

Mr. SHERMAN. Just as I stated. Why?

Mr. MANN. It had not a sufficient amount.

Mr. SHERMAN. That is true. Now, we have increased the amount to \$315,000.

Mr. MANN. I understood the gentleman to say that the increase was intended to cover the cost of transportation.

Mr. SHERMAN. Largely so.

Mr. MANN. I wish to inquire if it is not necessary to appropriate a larger sum of money for maintenance?

Mr. SHERMAN. So far as Chicago is concerned, that is correct. Chicago is a very important point; second to none in importance. As I say, it was unfortunate that this appropriation was so nearly exhausted that for a time—only a matter of six or seven weeks—the work had to be very much curtailed. Under this appropriation that condition can not occur again.

The Clerk read as follows:

#### CONTINGENCIES.

For contingencies of the Indian Service, including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of special agents, at \$3 per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Commissioner of Indian Affairs, for a period not to exceed twenty days; for pay of employees not otherwise provided for, and for pay of special agents, at \$2,000 per annum each, \$75,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do not know whether the gentleman in charge of the bill has the information or not, but I wish to ask him a question. All through this bill, and all through all appropriation bills, we find provisions like the following:

Including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of special agents, at \$3 per day, when actually employed on duty in the field.

The truth is that this has grown to be a great abuse in the Government. There are a great many officials in the Government, employed at salaries fixed by Congress (in this case at \$2,000 per annum), who are permanently on duty at places away from home, and who receive an extra compensation of three times \$365, making a very large increase in their salaries; and it has come to the point where a good many of the employees in Washington, as well as elsewhere, seek and urge that they be sent to some other place, as on duty there, in order to get the additional compensation of \$90 per month; and there are some employees of the Government who receive more in the way of additional allowances away from home than their original compensation amounts to. And the cost of living in many of these cases is no greater than it would be if they were living where they originally were, because they are transferred not for a day, but for months, for seasons, and sometimes for years. I do not know as to these special agents, and I presume there is no way of ascertaining the exact amount that any of them are paid in the way of incidental expenses, which in this case very likely is the correct and proper thing. But if the gentleman from New York happens to have information on the subject, I am sure that it would be of value to the committee.

Mr. SHERMAN. Mr. Chairman, I can not give the exact statement. That is a detail that I did not ask for. I could get it for the gentleman; but I can tell him this, which I suppose will satisfy him, that so far as these five officers are concerned, I think they hardly come within the general class which he criticises, and justly so, I believe. These five agents are seldom in any one place for any great length of time. They are sent hither and thither, and here and there and yonder, from one agency to another, and from one State to another, and I think when they get through paying their expenses they are not able to save any very considerable amount out of the \$3 per day that they are allowed for these traveling expenses.

I think I have in mind the class of employees to whom the gentleman particularly refers when he says it is substantially an addition to their salaries. For instance, a pension examiner in the field, who may live in Chicago, may be assigned to duty at Milwaukee, and while at Milwaukee he receives his \$3 per day for subsistence, and it is possible for him to spend every Sunday, if he so desires, with his family in Chicago. It is possible for him, as he undoubtedly does, to obtain some comfortable home in a boarding house or with some private family, where his total expense would not, perhaps, exceed \$8 or \$10 a week; so that it is practically, in a case of that kind, an addition to the salary. But with these special agents in the Indian Service, they do not have any such co-called "soft snap" as that. They are sent to all sorts of outlandish sections of the country, if I may use the word "outlandish," where it is pretty hard for them to get comfortable accommodations at any price, and by the time the year ends I think it will be found that they

have saved no considerable amount out of their per diem allowance, but it will be found that they have drawn that per diem the major part of the year. They are out nearly all the time. Is that what the gentleman desired to know, whether they were out most of the time?

Mr. MANN. Yes.

Mr. SHERMAN. These five agents are out most of the time. From this contingent fund are also paid the traveling expenses of the Commissioner, and they are not inconsiderable, because the Commissioner attends the opening of business and the letting of contracts in Chicago, St. Louis, and San Francisco, and the present Commissioner, particularly, has been visiting a large number of reservations and schools. He was in the field, I think, for perhaps four months last year, and undoubtedly all that travel is expensive. It is not paying simply  $3\frac{1}{2}$  cents per mile on the railroad, but it is hiring teams to take him perhaps 30, 60, or 70 miles through a barren country, to reach the headquarters of an agency. So the expenses are large.

From this fund is also taken the pay of certain employees who are not otherwise specifically provided for. For instance, if one farmer is provided for at an agency, and the temporary conditions demand the employment of a second farmer, he can be paid out of this appropriation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. My purpose in doing so is to answer a criticism made by the gentleman from Illinois [Mr. MANN] as to the abuse which had grown up in some Departments concerning the per diem allowance. So far as the postal service is concerned, it was called to our attention three years ago that inspectors would utilize the \$4 per diem allowance when they would be assigned to official headquarters away from their homes, where most of their time would be passed and which was virtually their permanent stopping place. So the postal committee, in a bill reported that year, put a limitation providing that the per diem should not be available unless away from their home, their domicile, or their designated headquarters. It had been shown that prior to the establishment of the per diem allowance and under the old practice the agents in the field were allowed their expenses; that in many cases it would aggregate much more than the \$4 daily allowance even if granted for three hundred and thirteen days in the year. Since the placing of the amendment on the statute books there has been no abuse in the postal service to our knowledge, and the postal agents in the field now are only entitled to that amount when away from their homes, their official headquarters, or their domiciles.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk proceeded with the reading of the bill to the close of line 19, on page 15.

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. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill and had come to no resolution thereon.

#### LEAVE OF ABSENCE.

Mr. DIXON of Montana, by unanimous consent, was given leave of absence indefinitely, on account of important business.

#### PROMOTIONS IN THE NAVY.

The SPEAKER laid before the House a message from the President of the United States; which was read, and, with accompanying papers, ordered printed, and referred to the Committee on Naval Affairs.

[For message see Senate proceedings of this date.]

#### PUBLIC LAND LAWS.

The SPEAKER also laid before the House a message from the President of the United States; which was read, ordered printed, and referred to the Committee on Public Lands.

[For message see Senate proceedings of this date.]

#### PANAMA CANAL.

The SPEAKER also laid before the House a message from the President of the United States; which, with the accompanying documents, was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

[For message see Senate proceedings of this date.]

#### ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 203. Joint resolution to pay the officers and em-

ployees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the twentieth day of said month.

#### COMMITTEE APPOINTMENT.

The SPEAKER announced the following committee appointment:

Mr. MOON of Tennessee to the Committee on Rivers and Harbors.

#### ADJOURNMENT.

Then, on motion of Mr. PAYNE (at 4 o'clock and 33 minutes 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 assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of The Trustees of the Ivey Memorial Chapel against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of The Trustees of the Fourmile Creek Baptist Church against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of Commerce and Labor, transmitting a copy of a letter from the Commissioner of Navigation, with draft of proposed legislation with reference to the payment of certain navigation fees—to the Committee on the Merchant Marine and Fisheries, and ordered to be printed.

A letter from the Secretary of State, transmitting the report of Mr. Samuel J. Barrows, Commissioner of the United States in the International Prison Commission, of the proceedings of the Seventh International Prison Congress—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a copy of a letter from the Commissioner of Indian Affairs, a draft of a bill to pay certain incapable Indians their shares of the tribal trust funds—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of Pelagio de Leon, of Bulacan, P. I.—to the Committee on Claims, 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. SLAYDEN, from the Committee on Military Affairs, to which was referred the concurrent resolution of the House (H. C. Res. 42) instructing the Secretary of War to return to the State of Texas the muster rolls of the Texas Rangers in service between February 28, 1855, and June 21, 1860, reported the same with amendment, accompanied by a report (No. 5553); which said concurrent resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYNARD, from the Committee on Industrial Arts and Expositions, to which was referred the bill of the House (H. R. 21949) authorizing the appropriation of the sum of \$1,000,000 as a loan to the Jamestown Exposition Company for the purpose of aiding in the payment of the cost of the construction, completion, and opening of the Jamestown Tercentennial Exposition on Hampton Roads, Virginia, on April 26, 1907, and to provide for the protection of the Government and insuring the repayment of the said sum of \$1,000,000 by a first lien upon the gross receipts of the said exposition company from all paid admissions to the grounds of said exposition and from all moneys received from the concessions after the opening of said exposition, reported the same with amendment, accompanied by a report (No. 5554); 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. SULLOWAY, from the Committee on Invalid Pensions,



to which was referred the bill of the House (H. R. 18969) granting an increase of pension to Herman Hagemiller, reported the same with amendment, accompanied by a report (No. 5488); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 18322) granting an increase of pension to Hezekiah James, reported the same with amendment, accompanied by a report (No. 5489); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17810) granting a pension to Saul Saulson, reported the same with amendment, accompanied by a report (No. 5490); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 19706) granting an increase of pension to Almon Wood, reported the same without amendment, accompanied by a report (No. 5491); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17581) granting an increase of pension to Aquilla Williams, reported the same with amendment, accompanied by a report (No. 5492); 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. 15631) granting an increase of pension to Henry Clay Worley, reported the same with amendment, accompanied by a report (No. 5493); 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. 7555) granting an increase of pension to John S. Roseberry, reported the same with amendment, accompanied by a report (No. 5494); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21767) granting an increase of pension to George Young, reported the same with amendment, accompanied by a report (No. 5495); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21624) granting an increase of pension to William H. Willey, reported the same with amendment, accompanied by a report (No. 5496); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20685) granting an increase of pension to Joseph R. Benham, reported the same without amendment, accompanied by a report (No. 5497); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15139) granting an increase of pension to James P. Mullen, reported the same with amendment, accompanied by a report (No. 5498); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21667) granting an increase of pension to John W. Towle, reported the same with amendment, accompanied by a report (No. 5499); 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 House (H. R. 21535) granting an increase of pension to William E. Feeley, reported the same with amendment, accompanied by a report (No. 5500); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21499) granting an increase of pension to Henry A. Wieand, reported the same with amendment, accompanied by a report (No. 5501); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20927) granting an increase of pension to Benjamin F. Burch, reported the same with amendment, accompanied by a report (No. 5502); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21162) granting an increase of pension to John W. Humphrey, reported

the same with amendment, accompanied by a report (No. 5503); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21314) granting an increase of pension to Robert F. Patterson, reported the same with amendment, accompanied by a report (No. 5504); 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. 21277) granting an increase of pension to Robert Martin, reported the same with amendment, accompanied by a report (No. 5505); 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. 21002) granting an increase of pension to William Wiggins, reported the same with amendment, accompanied by a report (No. 5506); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20881) granting an increase of pension to Martha J. Weaverling, reported the same with amendment, accompanied by a report (No. 5507); 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 House (H. R. 20859) granting an increase of pension to Henry C. Hughes, reported the same with amendment, accompanied by a report (No. 5508); 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. 20821) granting an increase of pension to John L. Newman, reported the same without amendment, accompanied by a report (No. 5509); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21079) granting an increase of pension to Patrick Kinney, reported the same with amendment, accompanied by a report (No. 5510); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21161) granting an increase of pension to Henry J. Rhodes, reported the same with amendment, accompanied by a report (No. 5511); 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 House (H. R. 17204) granting a pension to Sarah E. Robey, reported the same with amendment, accompanied by a report (No. 5512); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21325) granting an increase of pension to George O. Tibbitts, reported the same without amendment, accompanied by a report (No. 5513); which said bill and report were referred to the Private Calendar.

Mr. WEISSE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21427) granting an increase of pension to Thomas L. Moody, reported the same with amendment, accompanied by a report (No. 5514); 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 House (H. R. 2055) granting an increase of pension to Joanna Cox, reported the same with amendment, accompanied by a report (No. 5515); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13806) granting an increase of pension to John Campbell, reported the same with amendment, accompanied by a report (No. 5516); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21542) granting an increase of pension to Erastus A. Thomas, reported the same with amendment, accompanied by a report (No. 5517); 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 House (H. R. 16698) granting an increase of pension to Henry H. Davis, reported the same without amendment, accompanied by a report (No. 5518); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14884) granting an increase of pension to Henry Stauffer, reported the same



with amendment, accompanied by a report (No. 5519); 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. 10738) granting an increase of pension to Thomas Prosser, reported the same with amendment, accompanied by a report (No. 5520); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17094) granting an increase of pension to James H. Sperry, reported the same with amendment, accompanied by a report (No. 5521); 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. 17483) granting an increase of pension to William H. Loyd, reported the same with amendment, accompanied by a report (No. 5522); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20036) granting an increase of pension to Oliver T. Westmoreland, reported the same with amendment, accompanied by a report (No. 5523); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to whom was referred the bill of the House (H. R. 20000) granting an increase of pension to Thomas R. Elliott, reported the same without amendment, accompanied by a report (No. 5524); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5729) granting an increase of pension to Norman H. Cole, reported the same with amendment, accompanied by a report (No. 5525); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2399) granting an increase of pension to Charles F. Sanscrainte, reported the same with amendment, accompanied by a report (No. 5526); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6894) granting an increase of pension to Daniel O. Corbin, reported the same with amendment, accompanied by a report (No. 5527); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20647) granting an increase of pension to Dominick Garvey, reported the same without amendment, accompanied by a report (No. 5528); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7581) granting an increase of pension to Emile Cloe, reported the same with amendment, accompanied by a report (No. 5529); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15630) granting a pension to Sarah A. Kizer, reported the same with amendment, accompanied by a report (No. 5530); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11174) granting an increase of pension to Isaac Richards, reported the same with amendment, accompanied by a report (No. 5531); 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. 16506) granting an increase of pension to Kate S. T. Church, reported the same with amendment, accompanied by a report (No. 5532); 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. 20731) granting an increase of pension to Peter Buchman, reported the same with amendment, accompanied by a report (No. 5533); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12399) granting an increase of pension to William T. Osborn, reported the same without amendment, accompanied by a report (No. 5534); 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 House (H. R. 20854) granting an increase of pension to Thomas Walsh, reported the same with amendment, accompanied by a report (No. 5535); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20887) granting

an increase of pension to Emma Walters, reported the same with amendment, accompanied by a report (No. 5536); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20970) granting an increase of pension to Edgar Weaver, reported the same without amendment, accompanied by a report (No. 5537); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21026) granting a pension to Delia S. Humphrey, reported the same without amendment, accompanied by a report (No. 5538); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21078) granting an increase of pension to Henry C. Davis, reported the same with amendment, accompanied by a report (No. 5539); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21281) granting an increase of pension to Catherine Ludwig, reported the same with amendment, accompanied by a report (No. 5540); 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 House (H. R. 21320) granting an increase of pension to Malinda H. Hitchcock, reported the same with amendment, accompanied by a report (No. 5541); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21355) granting a pension to John Cooper, reported the same with amendment, accompanied by a report (No. 5542); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21354) granting an increase of pension to Mary Shutler, reported the same with amendment, accompanied by a report (No. 5543); 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. 21376) granting an increase of pension to John W. Stichter, reported the same with amendment, accompanied by a report (No. 5544); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21498) granting an increase of pension to Daniel Scheetz, reported the same with amendment, accompanied by a report (No. 5545); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21532) granting an increase of pension to William Dobson, reported the same with amendment, accompanied by a report (No. 5546); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21534) granting an increase of pension to Henry Reed, reported the same with amendment, accompanied by a report (No. 5547); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21543) granting an increase of pension to Addison Thompson, reported the same with amendment, accompanied by a report (No. 5548); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21615) granting an increase of pension to David Yoder, reported the same with amendment, accompanied by a report (No. 5549); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21819) granting an increase of pension to Joseph Peach, reported the same with amendment, accompanied by a report (No. 5550); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 676) granting an increase of pension to Musgrove E. O'Conner, reported the same with amendment, accompanied by a report (No. 5551); which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 22652) to make uniform the



law of sales in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 22653) to make uniform the law of warehouse receipts in the District of Columbia—to the Committee on the District of Columbia.

Mr. HULL: A bill (H. R. 22654) providing for transfer of certain ground to the United States—to the Committee on Public Buildings and Grounds.

By Mr. HARDWICK: A bill (H. R. 22655) to provide for the use of the block system for all trains engaged in interstate commerce; to provide for the examination and license of all telegraph operators engaged in handling block signals and telegraphic orders affecting the movement of trains on such railroads, and to provide for the hours of labor to be required of such telegraph operators and their compensation—to the Committee on Interstate and Foreign Commerce.

By Mr. SHEPPARD: A bill (H. R. 22656) authorizing experimentation by the Secretary of Agriculture in reference to cotton bollworm and cotton wilt disease—to the Committee on Agriculture.

By Mr. HILL of Connecticut: A bill (H. R. 22657) to amend an act entitled "An act for withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906—to the Committee on Ways and Means.

By Mr. TYNDALL: A bill (H. R. 22658) to make available the waters of the James River in the county of Stone, State of Missouri, for electric-power purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS: A bill (H. R. 22659) to amend section 1854 of the Revised Statutes of the United States, restricting appointments to office of members of the legislative assemblies in Territories—to the Committee on the Territories.

By Mr. WASKEY: A bill (H. R. 22660) to relieve the Tanana Mine Railroad, under construction in Alaska, of the licensed tax of \$100 per mile per annum—to the Committee on the Territories.

By Mr. WALLACE: A bill (H. R. 22661) authorizing the survey of Red River, Arkansas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 22662) authorizing examination, etc., of Red River—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: A bill (H. R. 22663) providing for the deepening and widening of the channel between North Brothers Island and South Brothers Island, in the East River of New York Harbor—to the Committee on Rivers and Harbors.

By Mr. HENRY of Texas: A bill (H. R. 22664) increasing salaries of rural free-delivery letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL of Georgia: A bill (H. R. 22665) authorizing the erection of a post-office building at Lawrenceville, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22666) authorizing the erection of a post-office building at Winder, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 22667) for the relief of the people of Hartshorne, Ind. T.—to the Committee on the Public Lands.

By Mr. MUDD: A bill (H. R. 22668) for the erection of a public building at Laurel, Md.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22669) for the erection of a public building at Hyattsville, Md.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22670) for the erection of a public building at Ellicott City, Md.—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 22671) to provide for the investigation of the water resources of the United States—to the Committee on Appropriations.

By Mr. WATKINS: A bill (H. R. 22672) to appropriate \$50,000 to conduct demonstration farms in the Mexican cotton boll weevil territory—to the Committee on Agriculture.

By Mr. BATES: A bill (H. R. 22673) amending the national banking act of 1864, for the better security of national-bank deposits—to the Committee on Banking and Currency.

By Mr. CLAYTON: A bill (H. R. 22674) to provide pay for rural free-delivery letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. POLLARD: A bill (H. R. 22675) to amend section 51 of the Revised Statutes of the United States, fixing the time Members elected to fill vacancies shall begin—to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 22676) forfeiting certain lands heretofore granted to the Minneapolis and Manitoba Railroad Company and providing for the disposal of said forfeited lands to actual settlers—to the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 22677) to provide for selection of site and preparation of plans for a building for the United States Patent Office—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22678) to provide increased force and salaries in the United States Patent Office—to the Committee on Patents.

By Mr. GARDNER of Michigan: A resolution (H. Res. 669) increasing the salary of Bert W. Kennedy, assistant doorkeeper of the House—to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AIKEN: A bill (H. R. 22679) granting a pension to Ida E. Vaughn—to the Committee on Pensions.

By Mr. AMES: A bill (H. R. 22680) granting an increase of pension to Ezekiel R. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22681) granting an increase of pension to Owen Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22682) granting an increase of pension to Winslow Russell—to the Committee on Invalid Pensions.

By Mr. BANNON: A bill (H. R. 22683) granting a pension to Ruth Boler—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 22684) granting an increase of pension to William Sherk—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 22685) granting an increase of pension to John T. Larkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22686) granting an increase of pension to George Ebert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22687) granting an increase of pension to Margaret Purcell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22688) granting an increase of pension to George A. Hamilton—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 22689) granting an increase of pension to Henry P. Whiteman—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 22690) granting an increase of pension to Matthew J. McRaith—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 22691) for the relief of the estate of Ovid Decuir, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22692) for the relief of Harvlien Norris—to the Committee on War Claims.

Also, a bill (H. R. 22693) for the relief of Paul Duhon—to the Committee on War Claims.

Also, a bill (H. R. 22694) for the relief of the estate of George Sallinger—to the Committee on War Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 22695) for the relief of Rathbun, Beachy & Co., of Webster, S. Dak.—to the Committee on Claims.

By Mr. BURLEIGH: A bill (H. R. 22696) granting a pension to Charles F. Ellingwood—to the Committee on Pensions.

Also, a bill (H. R. 22697) granting a pension to M. Emily Putnam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22698) granting a pension to Sarah R. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22699) granting an increase of pension to Americus Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22700) granting an increase of pension to William McCauley, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22701) granting an increase of pension to James R. Fairbrother—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 22702) granting an increase of pension to Samuel Crews—to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 22703) granting a pension to Benjamin F. Richards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22704) granting a pension to Orin S. Smith—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 22705) granting an increase

of pension to William A. Beatty—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 22706) granting an increase of pension to William Smoker—to the Committee on Invalid Pensions.

By Mr. SCROGGY: A bill (H. R. 22707) granting an increase of pension to Sebastian Gerhardt—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 22708) granting an increase of pension to John Hughes—to the Committee on Invalid Pensions.

By Mr. COCKS: A bill (H. R. 22709) granting a pension to Martha E. Muhlenfeld—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22710) granting an increase of pension to Nelson Cornell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22711) granting an increase of pension to Jacob Kures—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 22712) granting a pension to Lydia B. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22713) to correct the military record of William H. Creek—to the Committee on Military Affairs.

By Mr. CONNER: A bill (H. R. 22714) granting an increase of pension to Francis Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22715) granting an increase of pension to Terrance Doyle—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 22716) granting an increase of pension to Thomas Mosher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22717) granting an increase of pension to Mary A. Brick—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 22718) granting an increase of pension to William Dean—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 22719) granting an increase of pension to William Hazelbaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22720) granting a pension to Jane M. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22721) granting a pension to Grace C. Cheney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22722) granting a pension to Sarah E. Hiday—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 22723) granting an increase of pension to Harvey Walters—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 22724) granting an increase of pension to Amasa Plastridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22725) granting an increase of pension to Caswell I. Hale—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 22726) granting an increase of pension to Garrett F. Cowan—to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 22727) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

By Mr. DICKSON of Illinois: A bill (H. R. 22728) granting an increase of pension to Nathan W. Cogburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22729) granting an increase of pension to Robert W. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22730) granting an increase of pension to Francis M. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22731) granting an increase of pension to J. N. Chandler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22732) granting an increase of pension to John N. Ungles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22733) granting an increase of pension to James Fagan—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 22734) granting an increase of pension to Marshall Maier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22735) granting an increase of pension to Julia F. Clevenger—to the Committee on Pensions.

Also, a bill (H. R. 22736) granting an increase of pension to Charles Eberhardt—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 22737) granting a pension to Catherine A. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22738) granting an increase of pension to Jeremiah Robbins—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 22739) granting an increase of pension to John Layton—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 22740) granting an increase of pension to George W. Nance—to the Committee on Pensions.

Also, a bill (H. R. 22741) granting an increase of pension to William H. Cleveland—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 22742) granting a pension to R. M. Carl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22743) granting an increase of pension to Emmett W. Sherman—to the Committee on Invalid Pensions.

By Mr. FULKERSON: A bill (H. R. 22744) granting an increase of pension to William M. Deaton—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 22745) granting a pension to Ellen J. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 22746) granting an increase of pension to Felix G. Cobb—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 22747) granting a pension to Celestia E. Outlaw—to the Committee on Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 22748) granting an increase of pension to Willard P. Fisher—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 22749) granting a pension to Della S. Easton—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 22750) granting an increase of pension to William Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22751) granting an increase of pension to William G. Russell—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 22752) granting a pension to G. S. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22753) granting an increase of pension to John H. Zimmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22754) granting an increase of pension to Joseph W. Gale—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 22755) granting an increase of pension to Mary A. Hermance—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 22756) granting an increase of pension to Levi Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22757) granting an increase of pension to Joshua E. Hyatt—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 22758) granting an increase of pension to William Bivens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22759) granting an increase of pension to David R. Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22760) granting an increase of pension to John Cherry—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 22761) for the relief of D. C. Manire—to the Committee on War Claims.

Also, a bill (H. R. 22762) granting an increase of pension to John M. Gilbert—to the Committee on Invalid Pensions.

By Mr. HUBBARD: A bill (H. R. 22763) granting an increase of pension to Charles H. Slocum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22764) granting an increase of pension to Samuel V. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22765) granting an increase of pension to Charles Hawthorne—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 22766) granting an increase of pension to Soren V. Kalsem—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 22767) granting an increase of pension to Owen T. Edgar—to the Committee on Pensions.

By Mr. CLAUDE KITCHIN: A bill (H. R. 22768) for the relief of Dorsey S. De Lootch—to the Committee on War Claims.

By Mr. CHARLES B. LANDIS: A bill (H. R. 22769) granting an increase of pension to Chauncey W. R. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22770) granting a pension to Benjamin F. McKey—to the Committee on Invalid Pensions.

By Mr. FREDERICK LANDIS: A bill (H. R. 22771) granting an increase of pension to William J. Courter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22772) granting a pension to Mary S. Sanders—to the Committee on Pensions.

By Mr. LILLEY of Connecticut: A bill (H. R. 22773) granting an increase of pension to Dora K. Flaherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22774) granting an increase of pension to Francis Hoey—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 22775) for the relief of Homer B. Galpin, receiver of the firm of Casgrain & McDonald—to the Committee on Claims.

By Mr. McMORRAN: A bill (H. R. 22776) granting an in-



crease of pension to James E. Converse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22777) granting a pension to Jemina Grigg—to the Committee on Pensions.

By Mr. MADDEN: A bill (H. R. 22778) for the relief of Ruben A. Stern—to the Committee on Claims.

Also, a bill (H. R. 22779) granting an increase of pension to J. C. Baldrige—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 22780) granting an increase of pension to David Sloss—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 22781) granting a pension to Benjamin F. Dwinell—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 22782) granting an increase of pension to Jane Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22783) granting an increase of pension to John J. Goodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22784) granting an increase of pension to Ellery P. Willett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22785) granting an increase of pension to Morton A. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22786) granting an increase of pension to John Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22787) granting an increase of pension to Elijah Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22788) granting an increase of pension to I. B. Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22789) granting an increase of pension to James W. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22790) granting an increase of pension to James Call—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22791) granting an increase of pension to Robert S. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22792) granting an increase of pension to Samuel Gilpen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22793) granting an increase of pension to Chaney Buckingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22794) granting an increase of pension to David Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22795) granting an increase of pension to Thomas C. Danford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22796) granting an increase of pension to Jonathan Duer—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 22797) granting an increase of pension to Charles F. Campbell—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 22798) granting an increase of pension to George W. Robinson—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 22799) granting an increase of pension to William E. White—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 22800) granting an increase of pension to George S. Clark—to the Committee on Invalid Pensions.

By Mr. POLLARD: A bill (H. R. 22801) granting an increase of pension to Robert McMillen—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 22802) granting an increase of pension to Louise Eagleson—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 22803) granting a pension to Emaline Tabler—to the Committee on Pensions.

Also, a bill (H. R. 22804) granting a pension to Aaron Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22805) granting a pension to Amanda Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22806) granting a pension to R. E. Pelham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22807) granting an increase of pension to David R. Lindsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22808) granting an increase of pension to William L. Herron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22809) granting an increase of pension to Isaac M. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22810) granting an increase of pension to Elijah M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22811) granting an increase of pension to Alonzo M. Hannaford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22812) granting an increase of pension to Hiram E. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22813) granting an increase of pension to David Winn—to the Committee on Invalid Pensions.

By Mr. SAMUEL: A bill (H. R. 22814) to correct the military record of Francis Treas—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 22815) granting an increase of pension to Catherine Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22816) granting an increase of pension to Abram G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22817) granting an increase of pension to Moretta Wiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22818) granting an increase of pension to James R. Hutton—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 22819) granting a pension to Helen D. Ferguson—to the Committee on Invalid Pensions.

By Mr. SMYSER: A bill (H. R. 22820) granting an increase of pension to George S. Schmutz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22821) granting an increase of pension to Jesse T. Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22822) granting an increase of pension to Christian Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22823) granting an increase of pension to John Tipton—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 22824) granting an increase of pension to W. R. Morsee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22825) granting an increase of pension to Samuel G. Kinder—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 22826) granting an increase of pension to James O'Neal—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 22827) granting an increase of pension to Mary Kirk—to the Committee on Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 22828) granting a pension to Mary M. Humbarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22829) granting an increase of pension to George Spalding—to the Committee on Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 22830) granting a pension to William H. Brown—to the Committee on Pensions.

Also, a bill (H. R. 22831) granting a pension to Rhoda Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22832) granting a pension to William H. McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22833) granting a pension to Louisa F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22834) granting a pension to Jane E. Chapel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22835) granting an increase of pension to John Trims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22836) granting an increase of pension to John Bergin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22837) granting an increase of pension to Homer C. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22838) granting an increase of pension to W. Ira Tempelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22839) granting an increase of pension to A. D. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22840) granting an increase of pension to John Egan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22841) granting an increase of pension to Henry F. Sager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22842) granting an increase of pension to William H. Hodges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22843) granting an increase of pension to John A. Chaffee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22844) granting an increase of pension to Avery Truesdale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22845) granting an increase of pension to Elizabeth M. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22846) granting an increase of pension to Martin Holmes, alias George Langin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22847) granting an increase of pension to Henry C. Rood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22848) granting an increase of pension to Sherman B. Northway—to the Committee on Invalid Pensions.

By Mr. TYNDALL: A bill (H. R. 22849) granting a pension to Isham Handy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22850) granting a pension to James A. House—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22851) granting a pension to William F. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22852) granting an increase of pension to Walter L. Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22853) granting an increase of pension to Burden H. Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22854) granting an increase of pension to George Pollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22855) granting an increase of pension to Benjamin L. Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22856) granting an increase of pension to Charlotte A. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22857) granting an increase of pension to Henry W. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22858) granting an increase of pension to John A. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22859) granting an increase of pension to Samuel Boyd—to the Committee on Pensions.

Also, a bill (H. R. 22860) granting an increase of pension to Silvanis Kessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22861) granting an increase of pension to Christopher S. Alvord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22862) granting an increase of pension to Phlemon Devereux—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 22863) granting an increase of pension to Oscar A. Fuller—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 22864) granting an increase of pension to Grace T. Train—to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 22865) for the relief of C. A. Sarpy—to the Committee on War Claims.

Also, a bill (H. R. 22866) for the relief of H. N. Sarpy—to the Committee on War Claims.

Also, a bill (H. R. 22867) for the relief of the heirs of Joseph and Antoinette Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22868) for the relief of the heirs of Francois F. Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22869) for the relief of the heirs of J. B. P. Rachal, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22870) for the relief of the estate of Chestan Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22871) for the relief of the estate of Florentin Conaut, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22872) for the relief of the estates of William Robinson and Emily Bartell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22873) for the relief of the estates of Theofil Metoyer and Elena Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22874) for the relief of the estate of J. Valcour Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22875) for the relief of the estate of Joseph E. Dupre, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22876) for the relief of the estate of Charles Christophe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22877) for the relief of the estate of Artemise Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22878) for the relief of the estate of Ozam D. Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22879) for the relief of the estate of Francois Florival Metoyer, deceased—to the Committee on War Claims.

By Mr. WEISSE: A bill (H. R. 22880) granting an increase of pension to John Nuss—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 22881) granting an increase of pension to Thomas L. Williams—to the Committee on Pensions.

By Mr. ZENOR: A bill (H. R. 22882) granting an increase of pension to John W. Hougland—to the Committee on Invalid Pensions.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 20417) granting an increase of pension to Andrew J. Brown, and it was referred to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk, and referred as follows:

By the SPEAKER: Petition of members of the Western College for Women, at Oxford, Ohio, for investigation of the industrial, social, moral, educational, and physical condition of women and child workers in the United States—to the Committee on Labor.

By Mr. AMES: Petition of Wool Sorters Union No. 349, of Lawrence, Mass., for legislation that will compel the use of

American material in shipbuilding needed for our foreign commerce—to the Committee on the Merchant Marine and Fisheries.

By Mr. ANDREWS: Petition of Jesus Belarde and 490 others, against religious legislation in the District of Columbia (bill H. R. 16483)—to the Committee on the District of Columbia.

By Mr. BARTLETT: Resolutions of the Board of Trade of Savannah, Ga., and the Savannah Clearing Association, for legislation regulating bills of lading so as to safeguard the interests of all parties interested in them—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Petition of the New Century Club, of Philadelphia, for repeal of the duty on works of art—to the Committee on Ways and Means.

Also, petition of Puritan Council, No. 185, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. BONYNGE: Petition of Henry McKluck, of Denver, Colo., for free art legislation as per bill H. R. 15268—to the Committee on Ways and Means.

Also, petition of Division No. 35, Order of Railway Conductors, against the La Follette bill relative to arbitrary limitation of hours of service by railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. BROUSSARD: Papers to accompany bills for relief of estate of Ovid Decuir, Harvillen Norris, Paul Duhon, and estate of George Sallinger—to the Committee on War Claims.

By Mr. BRUNDIDGE: Paper to accompany bill for relief of Samuel Crews—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Paper to accompany bill for relief of Benjamin F. Gray—to the Committee on Invalid Pensions.

By Mr. BURTON of Ohio: Petition of Harvey Rice Council, No. 211, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. CAMPBELL of Kansas: Paper to accompany bill for relief of Orin M. Smith—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Versa Hutton (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

Also, paper to accompany bill for relief of Benjamin F. Richards—to the Committee on ———.

Also, paper to accompany bill for relief of William H. Webb—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petition of the American Civic Association, for the forest-reserve bill—to the Committee on Agriculture.

Also, paper to accompany bill for relief of A. Beatty—to the Committee on Invalid Pensions.

Also, petition of the governors of the several New England States and others, for the establishment of two forest reserves in the East—to the Committee on Agriculture.

Also, petition of Dr. Benjamin F. Tefft, jr., of Anthony, R. I., and J. H. Smith, of Phenix, R. I., for the passage of the immigration bill—to the Committee on Immigration and Naturalization.

By Mr. CASSEL: Resolutions of Joy Council, No. 1003, of Shoff, Pa.; General Cameron Council, No. 851, of Mount Joy, Pa.; Junior Order United American Mechanics, and Peerless Council, No. 189, of Columbia, Pa.; Daughters of Liberty, in favor of the passage of the immigration bill—to the Committee on Immigration and Naturalization.

By Mr. CROMER: Petitions of the Daily News, Anderson, Ind., and the Banner, Bluffton, Ind., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DALE: Paper to accompany bill for relief of John Miller—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of Vine Cliff Council, No. 107, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Paper to accompany bill for relief of Duncan Cunningham—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Camp No. 44, Department of New York, United Spanish War Veterans, of Poughkeepsie, N. Y., for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. FITZGERALD: Petition of William Lloyd Garrison Post, No. 207, Grand Army of the Republic, of Kings County, Department of New York, for restoration of the Army canteen in Soldiers' Homes—to the Committee on Military Affairs.

Also, petition of a Brooklyn missionary mass meeting, for investigation of the conditions in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. GAINES of Tennessee: Paper to accompany bill for relief of Ellen Jane Johnson—to the Committee on Pensions.



Also, paper to accompany bill for relief of Felix G. Cobb—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Ellen Jane Johnson—to the Committee on Invalid Pensions.

By Mr. GARNER: Paper to accompany bill for relief of Celestia E. Outlaw—to the Committee on Pensions.

By Mr. GOULDEN: Petition of the Baptist, Methodist, and Presbyterian churches of Williamsbridge, New York City, for investigation into affairs in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. GRONNA: Petition of the Commercial Club of Minot, N. Dak., for passage of the Wilson bill relative to an increase of salaries for postal clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petitions of Abraham Lincoln Council, No. 2, of San Francisco, Cal., and U. S. Grant Council, No. 19, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of Iowa soldiers, for legislation that shall increase pensions to ex-Union soldiers and sailors of the civil war—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Paper to accompany bill for relief of Levi Curtis, of Woodbury, Conn.—to the Committee on Invalid Pensions.

Also, petition of Ben Miller Council, No. 11, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of Bridgewater (Conn.) Grange, No. 153, against free seed distribution—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Joshua E. Hyatt—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of Martha Washington Council, No. 2, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Nebraska: Petition of North Platte Division, No. 35, Order of Railway Conductors, against the La Follett bill limiting hours of continuous employment by railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Petition of Railway Conductors, Division No. 33, of North Platte, Nebr., against arbitrary limitation of hours of labor on railways—to the Committee on Interstate and Foreign Commerce.

By Mr. LAFEAN: Paper to accompany bill for relief of T. T. Tate—to the Committee on Invalid Pensions.

By Mr. LEVER: Petition of the R. L. Boyan Company, against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Council No. 7, Junior Order United American Mechanics, of Sumter, S. C., favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. LILLEY: Papers to accompany bills for relief of Dora K. Flaherty and Francis Hoey—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of J. Eaton, for forest reserve in the White Mountains and the Southern Appalachians—to the Committee on Agriculture.

Also, petition of Hamilton Council, No. 35, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. LIVINGSTON: Petitions of the Watson Jeffersonian Magazine and the New Rochelle Paragraph, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LLOYD: Paper to accompany bill for relief of William Hardesty (previously referred to the Committee on Invalid Pensions)—referred to the Committee on Pensions.

By Mr. McMORRAN: Paper to accompany bill for relief of James E. Converse—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Jemina Griggs—to the Committee on Invalid Pensions.

By Mr. MANN: Paper to accompany bill for relief of David Sloss—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Petition of the United Spanish War Veterans, of Fresno, Cal., Camp No. 6, for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. PADGETT: Paper to accompany bill for relief of Thomas Horner—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of W. S. Noe—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of Spanish War Veterans of Au-

burn, N. Y., for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. POLLARD: Paper to accompany bill for relief of Robert McMillen—to the Committee on Invalid Pensions.

Also, petition of Division No. 35, Order of Railway Conductors, of North Platte, Nebr., expressing unalterable opposition to the bill limiting continuous hours of labor by railway employees—to the Committee on Interstate and Foreign Commerce.

Also, petition of the library board of the State University of Nebraska, against any change in the copyright law relative to importation of books in the English language—to the Committee on Patents.

By Mr. SAMUEL: Petition of Bloomsburg Council, No. 81, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. SMYSER: Petitions of Wayne Council, No. 42, of Wooster, Ohio; Coshocton Council, No. 65, and Goodwill Lodge, No. 178, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Petition of Bridgewater (Conn.) Grange, No. 153, against free Government seeds—to the Committee on Agriculture.

Also, petition of the Evening Leader, New Haven, Conn., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. STERLING: Paper to accompany bill for relief of Robert Beardsley—to the Committee on Invalid Pensions.

By Mr. WATKINS: Papers to accompany bills for relief of C. A. Sarpy, estate of Chestan Metoyer, estate of Florentin Conaut, estates of William Robinson and Emily Bartell, H. N. Sarpy, estates of Theophile Metoyer and Elena Metoyer, heirs of Joseph Metoyer and Antoinette Metoyer, estate of J. Valcour Metoyer, heirs of Francois F. G. Metoyer, estate of Joseph E. Dupre, estate of Charles Christophe, estate of Artemise Metoyer, estate of Oram D. Metoyer, estate of Francois Florival Metoyer, and heirs of J. B. P. Rachal—to the Committee on War Claims.

## SENATE.

TUESDAY, December 18, 1906.

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### PAYMENT OF INDIAN FUNDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs submitting a draft of a bill authorizing the payment to any Indian who is blind, crippled, decrepit or helpless from old age, etc., his or her share of the tribal trust funds in the Treasury, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### EXPERIMENTS WITH CHOLERA VIRUS IN THE PHILIPPINES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in further response to the resolution of the 12th instant, additional information relative to experiments with cholera virus upon prisoners in Bilibid Prison, at Manila; which was referred to the Committee on the Philippines, and ordered to be printed.

### INTERNATIONAL PRISON COMMISSION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting a report prepared by Samuel J. Barrows, Commissioner for the United States on the International Prison Commission, of the proceedings of the Seventh International Prison Congress, held at Budapest September 3-9, 1906; which, with the accompanying papers, was referred to the Committee on Printing.

### MESSAGE FROM THE HOUSE.

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

H. R. 189. An act to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.;

H. R. 21200. An act to authorize the county of Allegheny, in the State of Pennsylvania, to construct a bridge across the Allegheny River, in Allegheny County, Pa.; and