Liquor Dealers' Association of Pittsburg, Pa., for bill H. R. 4490—to the Committee on Ways and Means.

Also, petition of McLane Post, Grand Army of the Republic, of Union City, Pa., to amend the pension act of March 2, 1903—to the Committee on Invalid Pensions.

Also, petition of William Wean, secretary of the Patriotic Order of Sons of America of Philadelphia, Pa., for passage of bill S. 4403—to the Committee on Immigration and Naturalization.

Also, petition of Pennsylvania Farmers' Institute Workers, for an appropriation for experiment station work—to the Committee on Agriculture.

By Mr. BELL of Georgia: Papers to accompany bill H. R. 2417, to establish an assay office at Dahlonega, Ga.—to the Committee on Coinage, Weights, and Measures.

Also, paper to accompany bill for relief of William M. Brown—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Petition of the Presbyterian Church at Hopkinton, Iowa, for a constitutional amendment abolishing polygamy—to the Committee on the Judiciary.

Also, petition of the United Spanish War Veterans, for restoration of light beer and wines to the Army canteens—to the Committee on Military Affairs.

By Mr. FOSTER of Indiana: Petition of Local Union No. 444, Painters, Decorators, and Paper Hangers of America, of Princeton, Ind., for settling national disputes by a court of arbitration—to the Committee on Foreign Affairs.

By Mr. FULLER: Petition of the Western Cottage and Piano Company and other firms, against undue restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of 66 American artists, for admission of works of art free of duty—to the Committee on Ways and Means.

Also, petition of the Chicago Clearing House Association, for bill H. R. 23017, for national banks to issue unsecured credit notes—to the Committee on Banking and Currency.

By Mr. GRAHAM: Petition of the Liberal Immigration League, against restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Wholesale Liquor Dealers' Association of Pennsylvania, for the pending bill in the Committee on Ways and Means (H. R. 4490)—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Henry Kanline—to the Committee on Invalid Pensions.

By Mr. HAYES: Petition of W. Hayes et al., citizens of San Jose, Cal., against employment of Asiatic coolies on the Panama Zone—to the Committee on Foreign Affairs.

Also, petition of the Chicago Clearing House Association, for bill H. R. 23017 (credit currency bill)—to the Committee on Banking and Currency.

Also, petition of Reinhold Richter Camp, No. 2, Department of California, United Spanish War Veterans, for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. HEFLIN: Paper to accompany bill for relief of John L. Hayes—to the Committee on War Claims.

By Mr. HENRY of Connecticut: Petition of the Business Men's Association of New Britain, Conn., for an increase of post-office clerks' salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL of Connecticut: Petition of the New Britain (Conn.) Business Men's Association, for an increase of salaries of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. HUMPHREY of Washington: Paper to accompany bill for relief of Carter Monroe—to the Committee on Invalid Pensions.

By Mr. JOHNSON: Paper to accompany bill for relief of Mrs. Agelia Mittag—to the Committee on Pensions.

By Mr. JONES of Virginia: Paper to accompany bill for relief of the Lebanon Disciples' Church—to the Committee on War Claims.

By Mr. LORIMER: Petition of Joseph E. Otis, president of the Western Trust and Savings Bank, of Chicago, Ill., for bill H. R. 23017—to the Committee on Banking and Currency.

By Mr. MANN: Petition of the Chicago Clearing House Association, for bill H. R. 23017, for national banks to issue unsecured credit notes—to the Committee on Banking and Currency.

Also, petition of the Illinois Commandery of the Naval and Military Order of the Spanish-American War, for an adequate training ship—to the Committee on Naval Affairs.

By Mr. MEYER: Paper to accompany bill for relief of Citizens' Bank of Louisiana—to the Committee on Claims.

Also, paper to accompany bill for relief of W. W. Handlin—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of Thomas H. Unde—to the Committee on War Claims.

By Mr. POLLARD: Paper to accompany bill for relief of Frederick G. Ackerman—to the Committee on Invalid Pensions.

By Mr. PRINCE: Paper to accompany bill for relief of Frank W. Latimer—to the Committee on War Claims.

Also, paper to accompany bill for relief of Alfred L. Castle—to the Committee on War Claims.

By Mr. RYAN: Petition of the Western Fruit Jobbers' Association, for certain amendments to the railway rate bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHARD: Paper to accompany bill for relief of Myron T. Palmer—to the Committee on Military Affairs.

By Mr. SULLIVAN: Petition of the Massachusetts Institute of Technology and the Society of Art, for forest reservation in the White Mountains—to the Committee on Ways and Means.

By Mr. WANGER: Paper to accompany bill for relief of George W. Earl, jr.—to the Committee on War Claims.

SENATE.

MONDAY, *January 28, 1907.*

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

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

The VICE-PRESIDENT. The Journal stands approved

INVESTIGATION OF MONOPOLIES IN COAL AND OIL.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, pursuant to law, a report of its investigation of the subject of railroad discriminations and monopolies in coal and oil; which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

CHOCTAW AND CHICKASAW COAL LANDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a memorial of the National Council of the Chickasaw Nation, approved by the governor of that nation December 22, 1906, relative to the segregated coal lands of the Choctaw and Chickasaw nations; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

ALLOTMENT OF INDIAN LANDS.

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 to amend section 4 of the act approved February 8, 1887, to provide for the allotment of lands in severalty to Indians on the various reservations and to extend the protection of the laws of the United States and Territories over Indians, and for other purposes; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

MAIL MATTER OF LIBRARY OF CONGRESS.

The VICE-PRESIDENT laid before the Senate a communication from the Librarian of Congress, transmitting, pursuant to law, a statement of the mail matter entered at the Washington city post-office by the Librarian of Congress under the penalty privilege for the period July 1 to December 31, 1906; which was referred to the Committee on Post-Offices and Post-Roads, 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 bill (S. 7034) to incorporate the International Sunday School Association of America with amendments; in which it requested the concurrence of the Senate.

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

H. R. 24285. An act to provide for holding terms of United States courts at Clarksdale, Miss.;

H. R. 24603. An act to authorize the Atlanta, Birmingham and Atlantic Railroad Company to construct a bridge across the Coosa River, in the State of Alabama; and

H. J. Res. 230. Joint resolution continuing the Postal Commission until the close of the present session of Congress.

The message further announced that the House had passed a concurrent resolution requesting the President to return to the House of Representatives the bill (H. R. 16944) to amend sec-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

tion 878 of the Code of Law for the District of Columbia; in which it requested the concurrence of the Senate.

CREDENTIALS.

Mr. CARTER presented the credentials of JOSEPH M. DIXON, chosen by the legislature of the State of Montana a Senator from that State for the term beginning March 4, 1907; which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented a petition of the Chicago Clearing House, of Chicago, Ill., praying for the enactment of legislation permitting national banks to issue unsecured credit notes; which was referred to the Committee on Finance.

He also presented a petition of the Western Fruit Jobbers' Association, of Kansas City, Mo., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Camden, Me., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the congregation of the First Congregational Church of Hinsdale, Me., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the State board of agriculture, of Boston, Mass., praying for the enactment of legislation providing for the suppression of the gypsy and brown-tail moths; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Anacostia Citizens' Association of the District of Columbia, praying for the enactment of legislation providing for the extension of the tracks of the Washington Traction and Electric Company from First and G streets NW., by way of Massachusetts avenue and First street, to First and E streets SE.; which was referred to the Committee on the District of Columbia.

He also presented the petition of J. W. Latimer, of Washington, D. C., praying that an appropriation be made for the purchase of metallic file cases for the clerk's office of the supreme court of the District of Columbia; which was referred to the Committee on Appropriations.

Mr. PLATT presented the petition of Frank Keck, of New York City, N. Y., praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the enactment of legislation to modify the present postal fraud-order law; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Cairo, of the Aid Society of Nichols, of the Woman's Christian Temperance Union, and of sundry citizens of Castile, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented the petition of Thomas P. Murphy, of Pennsylvania, and the petition of Joseph V. Cunningham, of Pennsylvania, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which were referred to the Committee on Claims.

He also presented a memorial of the board of trade of Philadelphia, Pa., remonstrating against the repeal of the national bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Lancaster, Reading, Birdsboro, and Baumstown, all in the State of Pennsylvania, 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 petitions of sundry citizens of Kane, Lititz, and Darby; of the congregation of the Baptist Church of Canton; of the Woman's Home Missionary Society of the Methodist Episcopal Church of Pittsburg; of the congregation of the Memorial Presbyterian Church, of Lancaster; of the Christian Endeavor Society of the Fourth Methodist Protestant Church of Pittsburg; of the Woman's Christian Temperance Union of Pittsburg; of the Young Men's Christian Association of Lititz; of the Woman's Christian Temperance Union of Montoursville; of the congregation of the Methodist Episcopal Church of Pittsburg; of the congregation of the Free Methodist Church, of Franklin, and of the congregations of the Presbyterian, the Church of Christ, and the Methodist Episcopal churches of Canton, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DEPEW presented petitions of sundry citizens of Mahopac, Ossining, Port Chester, Copenhagen, Pleasant Plains, Westfield, and Onondaga County, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of the congregation of the First Swedish Church of Tracy, of sundry citizens of Little Sauk, Round Prairie, Hamline, St. Paul, Hubbard, Lynd, and Marshall, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Stockton, Cal., praying that an appropriation be made for the deepening of the channels of the Sacramento and San Joaquin rivers in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., praying for the passage of the so-called "naval personnel bill;" which was referred to the Committee on Naval Affairs.

He also presented a petition of the United Spanish War Veterans' Association of San Francisco, Cal., praying for the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Berkeley, Cal., praying for the enactment of legislation providing for the reclassification and increase in the salaries of postal clerks in all first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLACKBURN presented a petition of sundry citizens of Columbus and a petition of the congregation of the Methodist Episcopal Church of Ashland, in the State of Kentucky, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WARNER presented a memorial of sundry citizens of Springfield, Mo., 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. SIMMONS presented a memorial of sundry citizens of Randolph County, N. 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.

He also presented a petition of sundry citizens of Wilmington, N. C., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. FRAZIER presented petitions of sundry citizens of Petersburg, Knoxville, Obion, Bon Air, Beulah, McLemoresville, Cowan, and Lebanon, all in the State of Tennessee, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of Edward McGowan, of Tennessee, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

Mr. HOPKINS presented a petition of the Woman's Christian Temperance Union of West Bureau, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chicago Clearing House Association, of Chicago, Ill., praying for the enactment of legislation permitting national banks to issue unsecured credit notes; which was referred to the Committee on Finance.

Mr. DU PONT presented a petition of sundry citizens of New Castle, Del., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DICK presented a paper to accompany the bill (S. 7560) granting an increase of pension to James Vincent Brough; which was referred to the Committee on Pensions.

Mr. HALE presented petitions of sundry citizens of Orono, Turner, Madison, and Steuben, all in the State of Maine, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry women's clubs of Skowhegan, Me., praying for the enactment of legislation to regulate the employment of child labor in the United States; which was referred to the Committee on Education and Labor.

Mr. DANIEL presented a memorial of the Council of Jewish Women, of Richmond, Va., and a memorial of the Liberal Immigration League, of New York City, N. Y., remonstrating against the enactment of legislation to further restrict immigration; which were referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Richmond, Va., remonstrating against the enactment of legislation to abolish the Biological Survey department in the Department of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Chicago Clearing House, of Chicago, Ill., praying for the enactment of legislation permitting national banks to issue unsecured credit notes; which was referred to the Committee on Finance.

Mr. PROCTOR presented a petition of the congregation of the Congregational Church of Peacham, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented memorials of the Dairy and Food Department of Coopersville, Mich.; of the Houston Truck Growers' Association, of Houston Heights, Tex.; of Newark Grange, No. 366, Patrons of Husbandry, of Newark, N. Y.; of Thorofare Grange, No. 59, Patrons of Husbandry, of Thorofare, N. J.; of the Rhode Island Horticultural Society, of Providence, R. I., and of Fairview Grange, No. 1137, Patrons of Husbandry, of Sharpsburg, Ohio, remonstrating against the enactment of legislation providing for the free distribution of seeds and plants; which were referred to the Committee on Agriculture and Forestry.

Mr. SPOONER presented the petition of G. R. Pike and sundry other citizens of Eau Claire, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the mayor and board of aldermen of Manitowoc, Wis., praying for the enactment of legislation providing for the establishment of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HEYBURN presented a petition of sundry citizens of Bannock County, Idaho, praying for the enactment of legislation providing for the irrigation of lands adjacent to Pocatello, in that State; which was referred to the Committee on Indian Affairs.

REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 24538) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1908, to report it with amendments, and I submit a report thereon. To-morrow morning, after the routine morning business, I shall ask the Senate to take up the bill and dispose of it, because it is very important, as we are greatly behindhand with the appropriation bills, and they should be passed as fast as they reach us.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 16868) for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebro-spinal meningitis, and typhoid fever in the District of Columbia, reported it without amendment.

Mr. SMOOT, 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. 4875) granting an increase of pension to Nathan S. Wood;

A bill (S. 3266) granting an increase of pension to William P. McKeever;

A bill (S. 7220) granting an increase of pension to Nancy Bethel; and

A bill (S. 7598) granting an increase of pension to Jesse C. Newell.

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

A bill (S. 7948) granting an increase of pension to Jane Tate;

A bill (S. 7918) granting an increase of pension to R. T. Melvin; and

A bill (S. 7919) granting an increase of pension to John D. Abel.

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

A bill (S. 6076) granting an increase of pension to John McKnight; and

A bill (S. 6954) granting an increase of pension to Henry Matter.

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

A bill (S. 7223) granting a pension to Joseph W. Little; and

A bill (S. 7268) granting an increase of pension to De Wayne W. Suydam.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 4936) granting an increase of pension to Jacob Grell, 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. 7724) granting an increase of pension to Paul J. Christian;

A bill (S. 7357) granting an increase of pension to Levi S. Bailey; and

A bill (S. 1299) granting an increase of pension to Ludwig Schultz.

Mr. PERKINS, from the Committee on Appropriations, to whom was referred the bill (H. R. 23821) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, reported it with amendments, and submitted a report thereon.

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. 463) granting an increase of pension to Justin C. Kennedy;

A bill (S. 7782) granting an increase of pension to Henry F. Reuter; and

A bill (S. 6567) granting an increase of pension to George C. Gibson.

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. 4501) granting an increase of pension to Horatio S. Brewer;

A bill (S. 7678) granting an increase of pension to Joseph Kennedy;

A bill (S. 7063) granting an increase of pension to William F. Hastings; and

A bill (S. 7482) granting an increase of pension to Wilford Herrick.

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. 7054) granting an increase of pension to Charles H. Clapp;

A bill (S. 7610) granting an increase of pension to Frederick Kurz;

A bill (S. 7609) granting an increase of pension to Thomas Strong;

A bill (S. 6962) granting an increase of pension to Franklin Rust;

A bill (S. 6570) granting an increase of pension to George W. Cole;

A bill (S. 7477) granting an increase of pension to Patrick Cooney;

A bill (S. 7479) granting an increase of pension to George L. Corey;

A bill (S. 6467) granting an increase of pension to John M. Smith;

A bill (S. 7570) granting an increase of pension to George W. Hapgood; and

A bill (S. 7634) granting an increase of pension to Charles Shattuck.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. 7493) granting an increase of pension

to George Arthur Tappan, reported it with amendments, and submitted a report thereon.

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

A bill (S. 7) granting an increase of pension to Edwin B. Lufkin; and

A bill (S. 8015) granting an increase of pension to Samuel B. Hunter.

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

A bill (S. 8038) granting an increase of pension to John F. Ackley;

A bill (S. 7064) granting a pension to Edward T. Blodgett;

A bill (S. 6669) granting an increase of pension to Timothy B. Lewis;

A bill (S. 6663) granting an increase of pension to Thomas M. Chase;

A bill (S. 12) granting an increase of pension to Nancy Littlefield;

A bill (S. 6913) granting an increase of pension to Samuel C. Murdough; and

A bill (S. 7427) granting an increase of pension to George L. Danforth.

Mr. OVERMAN, 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. 7175) granting an increase of pension to Adline Mabry;

A bill (S. 5940) granting an increase of pension to Henry Bittleston;

A bill (S. 7098) granting an increase of pension to Henrietta Teague;

A bill (S. 7998) granting an increase of pension to George N. Julian; and

A bill (S. 5692) granting an increase of pension to Margaret E. Craigo.

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

A bill (S. 7174) granting an increase of pension to Rebecca Faggart;

A bill (S. 6912) granting an increase of pension to James G. Harvey; and

A bill (S. 7667) granting a pension to Henry Lunn.

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

A bill (S. 2394) granting an increase of pension to John A. J. Taylor;

A bill (S. 7329) granting an increase of pension to Nathaniel L. Turner; and

A bill (S. 7567) granting a pension to William Booth.

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. 7822) granting an increase of pension to William N. Bronson;

A bill (S. 3275) granting an increase of pension to Thomas J. Harrison; and

A bill (S. 7503) granting an increase of pension to George W. Baker.

Mr. PILES, from the Committee on Pensions, to whom was referred the bill (S. 7504) granting an increase of pension to David Decker, 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 (H. R. 13031) granting an increase of pension to Thomas H. Leslie; and

A bill (S. 4865) granting an increase of pension to James W. Muncy.

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

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

A bill (S. 6475) granting an increase of pension to Harvey Key.

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. 7475) granting an increase of pension to William D. Hudson;

A bill (S. 3929) granting an increase of pension to Ellen L. Stoughton;

A bill (S. 7870) granting an increase of pension to Albert Bennington; and

A bill (S. 7531) granting an increase of pension to William F. Letts.

Mr. CARMACK (for Mr. PATTERSON), from the Committee on Pensions, to whom was referred the bill (S. 588) granting a pension to Priscilla L. Hamill, reported it with amendments, and submitted a report thereon.

He also (for 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. 3446) granting an increase of pension to Anna M. Woodbury;

A bill (S. 4890) granting an increase of pension to Lorin N. Hawkins;

A bill (S. 2743) granting an increase of pension to Daniel B. Morehead; and

A bill (S. 5623) granting an increase of pension to Nicholas M. Hawkins.

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

A bill (S. 1526) granting an increase of pension to Theodore W. Gates; and

A bill (S. 5191) granting an increase of pension to Robert H. White.

REPORT ON SECOND-CLASS MAIL MATTER.

Mr. PENROSE, from the joint commission of Congress appointed under the act approved June 30, 1906, to investigate, consider, and report, by bill or otherwise, to Congress its findings and recommendations regarding the second class of mail matter, submitted a report thereon.

FOUNTAIN AT PADUCAH, KY.

Mr. HANSBROUGH. I am directed by the Committee on the Library, to whom was referred the bill (H. R. 24047) to authorize Chapter No. 376 of the Daughters of the American Revolution to erect a fountain on the property of the United States at Paducah, Ky., to report it favorably without amendment. I call the attention of the senior Senator from Kentucky [Mr. BLACKBURN] to the bill.

Mr. BLACKBURN. Mr. President, I am sure that no one will object to the passage of the bill, and I ask unanimous consent to consider it now.

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

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

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

DISTRICT STREET RAILWAY FRANCHISES.

Mr. PLATT. I am directed by the Committee on Printing to report a resolution, and I submit an accompanying report. I ask for the present consideration of the resolution.

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

Resolved, That there be printed 1,500 copies of the volume entitled "Laws relating to street railway franchises in the District of Columbia, 1905," of which 500 copies shall be for the use of the Senate and 1,000 copies for the use of the Commissioners of the District of Columbia.

FUNERAL EXPENSES OF THE LATE SENATOR ALGER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. BURROWS on the 25th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay the necessary expenses in connection with the funeral of Hon. RUSSEL A. ALGER, late a Senator from the State of Michigan, out of the contingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

COURTS IN MISSOURI.

Mr. FORAKER. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 24104) transferring Phelps County to the eastern division of the eastern judicial district of Missouri, to report it favorably, and to ask for its present consideration.

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

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

BILLS INTRODUCED.

Mr. NELSON introduced a bill (S. 8136) to provide for the reservation of the coal, lignite, oil, and natural gas in the public lands, for the leasing of the same, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles and referred to the Committee on Commerce:

A bill (S. 8137) to amend an act entitled "An act permitting the building of a dam across the Mississippi River between the counties of Stearns and Sherburne, in the State of Minnesota," approved June 28, 1906;

A bill (S. 8138) to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906; and

A bill (S. 8139) to authorize the Pike Rapids Power Company, a Minnesota corporation, its successors or assigns, to construct a dam across the Mississippi River in Morrison County, Minn.

Mr. PENROSE introduced a bill (S. 8140) to provide for the compensation of the appraiser of merchandise at the port of Philadelphia; which was read twice by its title, and referred to the Committee on Finance.

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

A bill (S 8141) granting an increase of pension to Mary Webster Lusk; and

A bill (S. 8142) granting an increase of pension to John F. Blanchard.

Mr. SIMMONS introduced a bill (S. 8143) to increase salaries of rural free-delivery carriers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

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

A bill (S. 8144) granting an increase of pension to Elizabeth A. Bonner;

A bill (S. 8145) granting an increase of pension to Jane Payne (with accompanying papers);

A bill (S. 8146) granting an increase of pension to Benjamin F. Freeman (with accompanying papers); and

A bill (S. 8147) granting an increase of pension to Ann E. Macy.

Mr. CLARKE of Arkansas introduced a bill (S. 8148) granting a pension to Mary F. Bitely; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRAZIER 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. 8149) for the relief of the heirs of Joseph W. Baugh, sr., deceased; and

A bill (S. 8150) for the relief of the trustees of the Christian Church, in Franklin, Williamson County, Tenn.

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

A bill (S. 8151) granting an increase of pension to John C. Bennett; and

A bill (S. 8152) granting an increase of pension to W. F. Fowler.

Mr. FULTON introduced a bill (S. 8153) granting an increase of pension to Henry B. Johnson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 8154) to regulate embalming in the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. McCUMBER introduced a bill (S. 8155) to create a commission to inquire into the matter of salaries and compensations of Federal officials and employees, to report to Congress a proposed bill for the purpose of curing inequalities and discrepancies that have arisen in the matter of salaries and compensations of officials and employees, and for other purposes; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. McCUMBER. As the bill is brief and upon a subject of very lively interest, I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

A bill (S. 8155) to create a commission to inquire into the matter of salaries and compensations of Federal officials and employees, to report to Congress a proposed bill for the purpose of curing inequalities and discrepancies that have arisen in the matter of salaries and compensations of officials and employees, and for other purposes.

Whereas great inequalities and discrepancies have arisen in the matter of salaries and compensations of Government officials and those employees in the several branches of the Government service in substantially the same grade or character of work, or duties requiring the same ability, due in part to the fact that such salaries and discrepancies have been arbitrarily fixed in individual cases and at divers times without any comprehensive standard applicable to all cases of like character; and

Whereas such salaries and compensations were in many cases fixed by law or departmental order many years ago, and at a time when the conditions in respect to the amount and character of labor or duties to be performed and the cost of living differed materially from that of the present, and when salaries and compensations paid in all lines of private business or enterprise differed materially from what is being paid at present: Therefore,

Be it enacted, etc., That a commission composed of three members be appointed by the President of the United States, by and with the consent of the Senate, not more than two of whom shall belong to the same political party, whose duty it shall be to investigate all such discrepancies and inequalities with a view to the correction thereof, and to report to the Congress on or before the 1st day of January, 1908, a proposed bill for fixing the salaries and compensations of the officials and employees hereinafter mentioned.

In determining the amount of salaries or compensations to be paid any such officials or employees, said commission shall take into consideration the advanced cost of living in places where such official or employee is required to perform his duties or services, the general advance of salaries or compensations for like services in private employment, and the advance in wages or compensations for other classes of services or labor since such salaries or compensations were last fixed by law or otherwise.

Said commission shall accompany such proposed bill with such information and data as it may deem necessary to explain its provisions or recommendations.

In addition to the foregoing duties said commission shall made investigation and report the following:

First. The total number of Federal officials and employees holding positions not of a temporary character.

Second. The total amount of salaries and compensations paid such officials or employees.

Third. The number of employees in each of the Executive Departments in the city of Washington.

Fourth. Of those employees how many are there who may be designated as officials and how many designated as clerks?

Fifth. Of these clerks how many are men and how many are women?

Sixth. Of the men how many are married and how many single?

Seventh. Of the women how many are married and how many are single?

Eighth. In how many instances are both husband and wife employed?

Ninth. In how many instances are there two or more members of the same family employed?—giving number employed in each family.

Tenth. How do the salaries of clerks in the Departments in the city of Washington compare with the salaries of clerks performing like services in other large cities of the country?

Eleventh. How do such salaries compare with the salaries of clerks performing like services in the smaller cities and rural districts of the country?

Salaries and compensations of the following officials and employees shall be considered and provided for under this act:

President of the United States.

Vice-President.

Secretary of State, Secretary of Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of Navy, Secretary of Interior, Secretary of Agriculture, Secretary of Commerce and Labor, commissioners, directors, and heads of the several bureaus.

Members of Supreme Court.

Circuit court of appeals.

Circuit court.

District courts and Territorial courts of the United States.

United States district attorneys, marshals.

Members of the Interstate Commerce Commission.

Ambassadors, ministers, consuls-general, and consuls.

Officers of the Army and Navy.

Internal-revenue collectors and collectors of customs.

Postmasters of each class and postal clerks.

Rural and city mail carriers.

All officers, clerks, and employees of the several Executive Departments of the Government, both within and without the city of Washington.

Executive officers of the District of Columbia.

Registers and receivers of land offices.

And such other Federal officers or employees as such commission shall deem it advisable to consider hereunder.

The commission, if it deems it advisable, shall give reasonable time for hearings and shall have authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerical and stenographic assistance, printing, and stationery, shall be paid upon vouchers to be approved by the chairman of the commission.

Any vacancies occurring in the commission by death, disability, or from any other cause shall be filled by appointment by the President.

Said commission shall receive a salary at the rate of $5,000 per annum each, and all necessary traveling expenses, to be paid monthly by the proper disbursing officer.

Such commission shall continue for the purpose of furnishing such information as may be required by Congress or either branch thereof until otherwise provided by law.

Twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay such salaries and expenses.

Mr. DICK introduced a bill (S. 8156) granting an increase of pension to Joseph R. Bartlett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 8157) granting an increase of pension to Bridget Coady; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARNER 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. 8158) granting an increase of pension to George W. Wade; and

A bill (S. 8159) granting an increase of pension to Thomas B. Fogle.

Mr. WARNER introduced a bill (S. 8160) granting a pension to John W. Casebolt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 8161) in relation to salaries of district attorney and assistant district attorneys for the northern district of Illinois; which was read twice by its title, and, with the accompanying papers, which were ordered to be printed, referred to the Committee on the Judiciary.

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

A bill (S. 8162) granting an increase of pension to Henry Lohr; and

A bill (S. 8163) granting an increase of pension to Jennie P. Douglas.

Mr. CLARK of Montana introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (S. 8164) granting to the State of Montana 50,000 acres of land to aid in the maintenance of a school for the blind; and

A bill (S. 8165) granting to the State of Montana 50,000 acres of land to aid in the maintenance of a school for feeble-minded.

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

A bill (S. 8166) for the relief of Mattie R. West; and

A bill (S. 8167) for the relief of J. D. Eades, sr. (with accompanying papers).

He also introduced a bill (S. 8168) to correct the military record of Solomon B. Saylor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CARMACK introduced a bill (S. 8169) to authorize the Secretary of the Treasury to adjust the accounts of the Vicksburg, Shreveport and Pacific Railway Company for transporting the United States mails; which was read twice by its title.

The VICE-PRESIDENT. Shall the bill be referred to the Committee on Claims?

Mr. CARMACK. I do not care. It struck me that it ought to go to the Committee on Post-Offices and Post-Roads, but let it go to whatever is the appropriate committee.

The VICE-PRESIDENT. The Chair will refer it, with the accompanying paper, to the Committee on Claims; and if the Senator should desire later a different reference it can be made.

Mr. PERKINS introduced a bill (S. 8170) anmending an act to create a customs district of the Territory of Arizona, approved April 29, 1890; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 8171) making an appropriation for the custom-house in San Francisco, Cal., and releasing the contractor to the extent necessary to replace work or materials, and to compensate him for increase in the cost of labor and materials above the prices prevailing previous to April 18, 1906; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HEYBURN introduced a bill (S. 8172) granting a pension to Orlando Robbins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 8173) to increase the efficiency of the Army of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURKETT introduced a bill (S. 8174) to incorporate a company for breeding horses on the Crow Indian Reservation, Mont., and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Indian Affairs.

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

A bill (S. 8175) granting an increase of pension to Nancy C. Baxter; and

A bill (S. 8176) granting an increase of pension to Jake Holestone (with accompanying papers).

Mr. BACON introduced a bill (S. 8177) for the relief of the president and managers of the Union Society (Bethesda Orphan House) of Savannah, Ga.; which was read twice by its title, and referred to the Committee on Claims.

Mr. HEMENWAY introduced a bill (S. 8178) to remove the charge of desertion from the military record of John C. Partlow; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DANIEL introduced a bill (S. 8179) for the relief of Lieut. Commander Kenneth McAlpine, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 8180) to protect the monuments already erected on the battlefields of Bull Run, Va., and other monuments that may be there erected; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 8181) authorizing the placing of Capt. Carter P. Johnson, Tenth United States Cavalry, on the retired list, with the rank and pay of a major; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 8182) authorizing the Twin City Power Company to build two dams across the Savannah River above the city of Augusta, in the State of Georgia; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BEVERIDGE 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. 8183) granting an increase of pension to Andrew J. Moore; and

A bill (S. 8184) granting an increase of pension to Peter B. Kellenberger.

Mr. PILES introduced a bill (S. 8185) granting a pension to Elisha Painter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 8186) to construct and place a light-ship at or near Ohio Shoal, Narragansett Bay, Rhode Island; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MONEY introduced a bill (S. 8187) for relief of the estate of Rebecca E. Sexton; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 8188) authorizing certain changes in the permanent system of highways in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CLARKE of Arkansas introduced a bill (S. 8189) granting to the St. Louis, Iron Mountain and Southern Railway Company, a corporation, the right to construct, maintain, and operate a single track railway across the lands of the United States in the southeast quarter of the northeast quarter of section 21, township 14 north, range 6 west of the fifth principal meridian, in the county of Independence and State of Arkansas, reserved for use in connection with the construction of Lock No. 1, Upper White River, Arkansas; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. NELSON submitted an amendment granting an extension of time to the homestead settlers on ceded Indian reservations in Minnesota in which to make payments thereon, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

AMENDMENT TO OMNIBUS CLAIMS BILL.

Mr. DANIEL submitted an amendment intended to be proposed by him to the omnibus claims bill; which was referred to the Committee on Claims, and ordered to be printed.

BOARD ON GEOGRAPHIC NAMES.

Mr. LODGE submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That the Public Printer be ordered to print and bind 2,500 copies of the third report of the United States Board on Geographic Names for the use of the Board.

CHARLES S. HANKS—RAILROAD STATISTICS.

Mr. CULBERSON. I offer a resolution, and ask for its present consideration.

The resolution was read, as follows:

Whereas according to press accounts Charles S. Hanks, in a recent address delivered before the Boston Chamber of Commerce, said, among other things:

"Since last June I have been at work in Washington at the Interstate Commerce Commission, and I have spent several thousand dollars of the good money of the United States in clerical services to show that the freight and passenger rates of this country can be reduced 10 per cent without affecting the dividends on the stock of any railroad or the wages of any employee. In connection with this work certain other facts have come to my attention which may interest you."

Therefore, be it

Resolved, That the Interstate Commerce Commission be, and is hereby, directed—

1. To inform the Senate whether said Charles S. Hanks is employed in any capacity in connection with said Commission; and if so, in what capacity, by whom employed, and from what appropriation he is paid.

2. To send to the Senate a full statement of the facts found by said Hanks which show or tend to show that the freight and passenger rates can be reduced as stated by him in said address.

Mr. ALDRICH. I would suggest to the Senator from Texas that he add a clause to his resolution calling for the names of all other employees.

Mr. CULBERSON. I do not desire that. The resolution is based upon an address delivered by this gentleman in which he stated that he had been at work at the Interstate Commerce Commission, and that there were such facts which had come to his knowledge as he indicated that the rates on passengers and freight could be reduced 10 per cent. This address was delivered before the Chamber of Commerce in the city of Boston, and the purpose of the resolution is to secure those facts, if they have been reported to the Commission, and also to discover the capacity, if any, in which this gentleman served the Commission. I wish to know that in order to see what importance or authority to attach to his findings.

Mr. ALDRICH. Mr. President, I do not object at all to the resolution of the Senator from Texas. I think it is quite proper and quite pertinent. But there have been stories floating about that there was a large force employed by somebody in examinations of this character, and I should be glad to have not only the names of the employees, but the information which they have gathered from various sources. I think it is due to us, who are engaged more or less in the work of legislating in this direction, that we should have all the information, especially information which is gathered by Government employees, for our benefit in legislation. Therefore I suggested that perhaps the resolution should be enlarged in its scope.

Mr. CULBERSON. I would have no objection to voting for a resolution submitted by the Senator from Rhode Island covering that point, but I trust he will allow this resolution to be considered this morning and passed.

Mr. HALE. Allow me to make a suggestion to the Senator from Texas.

Mr. CULBERSON. Certainly.

Mr. HALE. The statement made by this man as to what he had been doing and his expending of the Government money in certain directions is quite a remarkable statement, and I think we ought to have information upon that point, how much and for what purposes.

Mr. ALLISON. And from what appropriations?

Mr. HALE. And, as the Senator from Iowa says, from what appropriations. That information can be gotten speedily from the Commission. There is no reason why a reply to this part of it should not be sent to the Senate, so that we may have it during the remnant of the session.

But when the Senator comes to the other proposition, that the Commission shall report upon the great subject of reducing rates 10 per cent, I am afraid if we embody that in the resolution and connect it with the other, we will not get a report from the Interstate Commerce Commission at all during this session, because that will open a very wide door; it will open a new examination and involve a great deal of labor on the part of the Commission.

I do not object to the resolution; I should like to have the report; but I suggest to the Senator whether he had better not divide his resolution and let the resolution that calls for information about the performances of this man stand by itself, so that we can have it very early. I think we ought to have it.

Mr. CULBERSON. Mr. President, I call the Senator's attention to the fact that the resolution does not ask the Commission to send here all the facts in its possession on this very important subject, but to send only such as have been collected by this particular official, if he in fact be an official.

Mr. HALE. Will not the Senator read that part of the resolution?

Mr. CULBERSON (reading):

Second. To send to the Senate a full statement of the facts found by said Hanks which show, or tend to show, that the freight and passenger rates can be reduced as stated by him in said address.

It is confined to a report or reports which may have been made to the Commission by Mr. Hanks.

Mr. HALE. I see; I did not observe it on the reading of the resolution at the desk. If that will not so extend the scope of the inquiry and investigation of the Commission that we can not get it all at an early day, as we ought to have it, I think the resolution is right. We ought to have the information. A statement of that kind ought to be known to Congress and the facts ought to be sent here. If the Senator does not think that calling, as the resolution does, for what this man has brought out will delay an answer to the resolution, I do not see any objection to it.

Mr. GALLINGER. Mr. President, I shall not object to the resolution, but it seems to me this man has been a very industrious individual, if since last June he has made investigations that enable him to say that the rates for freight and passenger traffic on all the railroads of the United States can be reduced 10 per cent. It is a most remarkable statement for any man to make. I have no idea that he has ascertained anything of the kind, and yet it may be well enough for us to see what this Mr. Hanks has discovered.

Mr. ALDRICH. Mr. President, I do not know Mr. Hanks personally, but I have heard something of his employment. My impression is that he is not employed by the Interstate Commerce Commission, and that he is not paid from their appropriations, but paid from the appropriations for either the Department of Justice or the Department of Commerce and Labor. If I am right in that supposition, the resolution of the Senator from Texas will fail of results, as he makes inquiry of the Interstate Commerce Commission. I would suggest that he will probably come nearer getting the information on both subjects if he asks the question of the President of the United States.

Mr. CULBERSON. Mr. President, I have no special knowledge of this matter except as gleaned from the newspapers. This gentleman is reported to have said:

Since last June I have been at work in Washington at the Interstate Commerce Commission.

I do not know exactly what he means; and the purpose of the resolution is to find out where he is working, by whom he is employed, and what facts he has ascertained in the inquiry made by him.

I trust that there will be no objection to the consideration and passage of the resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

EXECUTIVE FUNCTIONS AND RESERVED STATE RIGHTS.

Mr. RAYNER. Mr. President, I wish to give notice that on Thursday, January 31, after the completion of the routine morning business I will, with the permission of the Senate, call up Senate resolution 199, on the question of executive usurpation, for the purpose of submitting some remarks.

INTERNATIONAL SUNDAY SCHOOL ASSOCIATION.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 7034) to incorporate the International Sunday School Association of America, which were, on page 2, line 7, after "real," to insert "estate not exceeding $1,000,000 in value in the aggregate;" and on page 4, after line 3, to insert "Sec. 9. The right to alter, amend, or repeal this act is reserved."

Mr. McCREARY. I move that the Senate concur in the two amendments of the House.

The motion was agreed to.

CODE OF LAW FOR THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read, considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill (H. R. 16944) to amend section 878 of the Code of Law for the District of Columbia.

HOUSE BILLS REFERRED.

H. R. 24285. An act to provide for holding terms of United States courts at Clarksdale, Miss., was read twice by its title, and referred to the Committee on the Judiciary.

H. R. 24603. An act to authorize the Atlanta, Birmingham and Atlantic Railroad Company to construct a bridge across the Coosa River in the State of Alabama, was read twice by its title, and referred to the Committee on Commerce.

POTOMAC RIVER BRIDGE AT SHEPHERDSTOWN, W. VA.

Mr. DANIEL. I ask unanimous consent for the consideration of the bill (H. R. 24111) to authorize the Norfolk and Western

Railway Company to construct a bridge across the Potomac River, at or near Shepherdstown, W. Va.

I will state, by permission, that a bill almost similar has passed the Senate and gone to the House, and this bill has passed the House and come to the Senate. The only difference is that, under the operation of this bill, the company must commence the construction of the bridge in one year, while under the other in two years. The Senate bill was reported from the Committee on Commerce.

The VICE-PRESIDENT. The Senator from Virginia asks unanimous consent for the present consideration of a bill which will be read for the information of the Senate.

Mr. BEVERIDGE. I shall not object to the consideration of the bill. I am very glad not to object to its consideration, but I hope that after it is disposed of the consideration of no further bills will be asked, as I wish to make my remarks.

Mr. DANIEL. I thank the Senator for his courtesy. I am sure it will take no time.

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

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

COAL-LAND ENTRIES IN ALASKA.

Mr. BEVERIDGE. Mr. President——

Mr. SPOONER. Will the Senator yield to me for a moment?

Mr. BEVERIDGE. Certainly.

Mr. SPOONER. Mr. President, at the last session I entered a motion to reconsider the vote by which the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska was passed. I should like now to call up that motion, and I ask unanimous consent that the vote by which the bill was passed be reconsidered, and that the bill be now recommitted to the Committee on Public Lands.

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

Mr. SPOONER. I now move that the bill be recommitted to the Committee on Public Lands.

Mr. BEVERIDGE. I ask the Senator from Wisconsin is that a bill affecting coal lands in Alaska?

Mr. SPOONER. It is.

Mr. BEVERIDGE. Then ought it not to be referred to the Committee on Territories?

Mr. SPOONER. I think not. It was reported by the Committee on Public Lands.

Mr. BEVERIDGE. That may be; but I call the Senator's attention to the fact that the Committee on Territories are now considering a bill on that subject.

Mr. HEYBURN. Mr. President——

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

Mr. SPOONER. It is by the courtesy of the Senator from Indiana [Mr. BEVERIDGE], as I understand, that I obtained the floor.

The VICE-PRESIDENT. Then does the Senator from Indiana yield to the Senator from Idaho?

Mr. BEVERIDGE. I do.

Mr. HEYBURN. Mr. President, it seems to me that this bill should go to the Committee on Mines and Mining.

Mr. BEVERIDGE. Mr. President, if this matter is going to lead to debate, I shall withdraw my suggestion; but I wish to call attention to the fact as being important, though I shall not press it at this time, that such laws as exist in reference to mining and to coal mines and coal lands in Alaska already have been considered by the Committee on Territories. We now have before our committee for consideration, and shall undoubtedly at the next meeting report out, a bill affecting that very subject. It seems to me that we ought to have this matter concentrated in some committee.

Mr. SPOONER. As an original proposition, that perhaps might be true, but the suggestion of the Senator from Indiana comes on the last day, after the settlement. The truth is that this bill came from the House of Representatives after having been considered by the Committee on Public Lands; it was referred by the Senate to the Committee on Public Lands here, was considered and amended by that committee, and it was committed to my friend from Minnesota [Mr. NELSON], a member of that committee, to report it to the Senate.

Mr. BEVERIDGE. I withdraw my suggestion. Let it go this time; but do not do it again.

Mr. SPOONER. I now move that the bill be recommitted to the Committee on Public Lands.

The VICE-PRESIDENT. The Senator from Wisconsin moves that the bill be recommitted to the Committee on Public Lands.

Mr. HEYBURN. Mr President——

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator fram Idaho?

Mr. SPOONER. Certainly.

Mr. HEYBURN. I ask that the matter go over, unless we are going to take time enough now to determine what committee is to consider this measure and other bills of this class. If there is any class of legislation that should go to the Committee on Mines and Mining, it seems to me it is that pertaining to coal mines and other classes of mining. All such bills should go to the Committee on Mines and Mining. The Committee on Public Lands is constituted primarily for the consideration of matters pertaining to the public domain other than mining matters. It seems to me, I repeat, that this should go to the Commitee on Mines and Mining.

Mr. BEVERIDGE. I think, as the Senator from Wisconsin states, that this bill ought to go now to the Committee on Public Lands, as that committee practically already has it in charge. Otherwise I should insist on its going to the Committee on Territories.

Mr. SPOONER. I may say, Mr. President, that my motion—if the Senator from Indiana will pardon me a moment—is that this bill go to the Committee on Public Lands, that they may consider in connection with it, it being a House bill, the recommendation made by the President, which involves the public-land service as well as the coal and other nonmineral phases of the subject. I think my friend from Idaho had better make the point hereafter as to other measures which are more exclusively and palpably within the jurisdiction of the Committee on Mines and Mining, if he will pardon the suggestion.

Mr. HEYBURN. Mr. President, it has been my intention for some time to see if I could not induce the Senate to believe that all questions relative to the mining of coal, iron, or the precious or valuable metals should go to the Committee on Mines and Mining. It was because of the very suggestions made by the Senator that I rose to make the remarks that I have made.

The message of the President referred to by the Senator, I take it, is the one which recommends the leasing of coal lands. That means the leasing of the right to extract the coal. That is mining. So far as the surface of the land under which the coal may lie is concerned, I would not think it important that that branch of the matter should go to the Committee on Mines and Mining; but when it pertains to the question strictly in regard to the mining of coal, I think that committee should begin now to have jurisdiction of every measure that comes here involving the question of extracting the useful or valuable metals or substances from the soil. That is mining.

Mr. SPOONER. Bills have been pending before the Committee on Public Lands which are intended to enable the Government to retain, in the public interests, a certain control over the mining of coal, without interfering at all with the development of the public-land States so far as the surface is concerned, contemplating the disposition of the surface for agricultural purposes, but reserving to the Government the right as to the disposition of the coal and oil and similar nonmineral substances or deposits. That, of course, covers mining, not in the technical sense in which the Senator refers to it, but incidentally; and it covers also the surface. So it seems to me an entirely proper thing that this bill should go to the Committee on Public Lands. It is the committee which, without objection from the Committee on Mines and Mining, took jurisdiction of it and dealt with it, and I am simply moving to send it back to the committee whence it came, in order that they may reconsider it, and also consider in connection with it the bills introduced by my friend from Minnesota [Mr. NELSON] and other Senators, which involve the disposition of the surface, which would not be within the jurisdiction of the Committee on Mines and Mining, and, incidentally, the other phases of the subject.

Mr. HEYBURN. Mr. President, I would inquire of the Senator is it not a fact that this bill went to the Committee on Public Lands before the President presented to the Senate, in a message now upon cur table, the question of leasing the coal lands?

Mr. SPOONER. But it does not contain anything now that it did not when it went there, and the Senator did not object to it going there.

Mr. HEYBURN. It did not seem necessary at that time to object to the reference, because the bill did not involve the question of mining. But I will suggest to the Senator that, if the bill is reported again along the lines suggested in the President's message in regard to the leasing of these lands, it should have incorporated in it every feature necessary to pro-

vide for the safety of miners working in the mines, for the method of mining, the limitations, and everything pertaining to the manner of mining. That belongs to the Committee on Mines and Mining.

Mr. SPOONER. I think it must be apparent to the Senate that this bill ought to go to the committee whence it came, and that my motion is the proper motion.

Mr. NELSON. Mr. President, this bill came from the Committee on Public Lands of the other House and was considered by the Committee on Public Lands of this body. It involves not only the matter of mining, but what disposition is to be made of the surface lands. In that view of the case, I think, under present contingencies, the bill ought to be referred to the Committee on Public Lands, whence it came.

The VICE-PRESIDENT. Without objection, the bill will be recommitted to the Committee on Public Lands.

EMPLOYMENT OF CHILD LABOR IN THE DISTRICT OF COLUMBIA.

Mr. BEVERIDGE. I ask the Chair to lay before the Senate the bill (H. R. 17838) to regulate the employment of child labor in the District of Columbia.

The VICE-PRESIDENT. The Chair lays before the Senate the bill indicated by the Senator from Indiana.

Mr. BEVERIDGE. Mr. President, I began my remarks on last Wednesday by showing the appalling figures of the official census concerning child labor in the United States and by showing further that, startling as these figures are, they are far below the truth. I gave some items of this kind, of which perhaps the most conclusive were the census figures from Maryland, where something over 5,000 children were reported, and where, under the new law, already, within six months, children to more than twice the census figures are shown to be working in that State. This is proved by the following affidavit from the assistant chief of the bureau of statistics and information of the State of Maryland, which I send to the Secretary's desk and ask to have read.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

MARYLAND BUREAU OF STATISTICS AND INFORMATION,
Baltimore, Md., January 24, 1907.

This is to certify that the Maryland bureau of statistics and information has, since July 1, issued upward of 10,000 permits to work to children between 12 and 16 years of age, who could pass the test of reading and writing simple sentences in the English language, working in the stores, offices, workshops, and manufacturing establishments of this State. That the said office has rejected application for permits of about 1,200 children who were disqualified either by ignorance or physical disability.

J. G. SCHONFARBER,
Assistant to Chief, Bureau of Statistics.

STATE OF MARYLAND,
City of Baltimore, to wit:

Be it remembered that on this 24th day of January, 1907, before the subscriber, a justice of the peace in and for the State of Maryland and Baltimore City, personally appeared J. G. Schonfarber, and made oath in due form of law that the aforegoing statement is true.

[SEAL.] OSCAR C. MARTENET,
Justice of the Peace.

CENSUS GIVES ONLY OVER 10 YEARS OF AGE.

Mr. BEVERIDGE. Mr. President, another proof of the inadequacy of the census figures is the fact that they do not assume to give *any children employed under the age of 10*. The census enumerators were not instructed to return children under 10. I showed on last Wednesday that a vast number of children, giving, as examples, names, places, and ages, in the glass factories of New Jersey and of West Virginia and on the coal breakers of Pennsylvania and elsewhere were at work below 10 years of age. Before I am through with the presentation of the evidence in this case—because that is what it amounts to, evidence in a case—I shall show that large numbers elsewhere, particularly in the cotton mills of the South, are at work, some of them at an age as low as 5 years; that in the sweatshops of some of the Northern States children are at work at an age as low as 3 years. Yet few, if any, of these were included in the census figures and none were sought for. I give this by way of recapitulation.

Now I shall continue Mr. Durland's testimony. I presented his affidavit last Wednesday as to the truth of all he says.

Mr. President, I may further state, for the benefit of those who on last Wednesday afternoon during our session were absent at luncheon, that I am sustaining each statement made as to facts by the affidavit of the person who investigated them. I am not taking the course usually taken in the Senate of merely making statements that have been set forth in magazines or newspapers or heard by somebody, but I am supporting them all by affidavit; and I am doing this because I know that every fact in support of this great reform will be questioned, if not denied, just as every proposition of law will at first be declared to be heresy.

It is said that certain interests are even now at work opposing this bill. Three-fourths of the cotton factories of the Southern States are determined that it shall be defeated—not all of them, Mr. President, for, I thank God, there are some mill owners in the South who would rather have less money and more conscience, who employ children only because their competitors do, and who pray for the passage of this bill. But it is safe to say that three-quarters of that tremendous industry, the extent of which you may see by looking at the map on my left, will resist this measure—are resisting right now.

It is said that the great Southern Railway system, which is set out on the map in red and a large part of whose business and a good fraction of whose profits come from these cotton mills, is also against this or any similar reform. It is said that the enormous coal industries of Pennsylvania, as shown on the map farther toward the door, with their immense power, and the railroads that gridiron that portion of the State and that carry the product of those mines—the Pennsylvania, the Lehigh Valley, the Delaware and Lackawanna, and the Delaware and Hudson—will also oppose it.

And these are not all. As this debate proceeds if it becomes necessary, indeed, if I have time and the geographer has time, other maps will be presented showing the location of other industries and the extent of other interests which will fight this great reform.

Therefore I tell Senators who were at luncheon the other day that I am supporting what is here presented by the oath of the person who made the investigation. I intend to continue this morning at some length in completing the case as to the evidence.

I intended to take, Mr. President, a good deal of time, because we are told that this whole matter was a vast exaggeration, that the extent of child labor is not nearly so great as earnest and sympathetic persons were stating it to be, and that the allegations of cruelty were not borne out by the facts.

So, the first thing necessary is to bring to the attention of the Senate and the country, and to repeat and repeat to the point of iteration, *the facts in the case*, every one of them being susceptible of *proof in a court of justice*. Then, when the facts are before us and the country knows the extent of this infamy and what it means now and in the future, we will have a sound basis upon which to act. And the country can judge us if we do not act.

I see some Senators here who were not here the other day when I read Mr. Lovejoy's statement from the Outlook. I suppose it is not necessary for me to say that, in the absence of an affidavit, any article printed in the Outlook carries weight with the American people, because it has the personal indorsement of its editor, that great American moralist and publicist known and honored by all the civilized world, Dr. Lyman Abbott. But I have not even depended on that; I support every statement by the oath of the person who makes it.

ANOTHER DESCRIPTION OF THE BREAKERS.

Now I shall read a few of the concrete illustrations; and since we have been on the subject of the coal breakers of Pennsylvania, concerning which I read at considerable length last Wednesday, perhaps we had better complete that. But before I do, Mr. President, I wish to read one sentence from an editorial in the New York Sun of last Friday, entitled, "Mr. BEVERIDGE on good and bad States." It is not necessary to read the whole editorial—I will try to answer fully later on its arguments against this bill—but this particular sentence from the Sun's editorial should be read at this juncture and borne in mind by every Senator and every American, as I read the descriptions, sworn to, of the child labor this bill will abolish. The New York Sun, speaking of these children this bill is intended to rescue and arguing against the bill itself says:

It is likely enough that many of these child laborers will grow up into capitalists and become "too rich," like their present oppressors—

That is the opinion of that paper. As I read the condition of these children in the coal breakers of Pennsylvania, in the cotton mills of the South, in the cotton mills of Maine, in the glass works of West Virginia, and in the sweatshops of New Jersey you will see the material out of which our future "capitalists," according to this paper, are to be made. Here is Mr. Durland's description of the breakers:

When the coal comes up out of the mines it is sent to the towering breakers and run through a series of sifting and sorting troughs, astride of which the boys sit, their little backs bent over the streams of moving coal, as with their bare hands they pick the stone and refuse from the good coal. The fingers soon become scarred and calloused and their nails worn or broken to the quick. The breaker atmosphere becomes impenetrable. Fine particles of coal dust fill the air and are taken into the lungs with every breath. This is the dark

cloud that hovers like a pall above every dry breaker in the anthracite region.

The tissues of the boys' lungs gather the black specks until the whole lung is discolored, and I have seen boys who have been away from the breakers and mines for eight and even ten years cough up these particles whenever they were attacked by a slight cold.

Experiment has shown that the work of the breaker boys can be done by machinery. Automatic slate pickers have been demonstrated to be practicable. Flesh and blood are at present deemed cheaper commodities than iron and steel, and the State permits the boys to do this work at 14.

GIRLS WORK IN SILK MILLS OF PENNSYLVANIA.

Now Mr. Durland takes up the silk mills. He says:

Less kindly is the State toward the girls. They may work at 13 years. They may work at *twelve-hour shifts by day or by night.* Their work is often in a warm, moist atmosphere, out of which they pass into the chill dawn of winter mornings. They must *stand* at their work. They must be unceasingly diligent lest an unnoticed broken strand of silk entangle others and damage the work.

They are unprotected from moral dangers shocking almost beyond credence. The State has refused to protect these children because the abolition of child labor at night would necessitate the remodeling of certain industrial plants, and the citizens of the State bow to the wishes of the manufacturers in this matter as quietly as if it were a moot point, complicated by subtle technicalities. The moral phase of the matter is completely subjugated to the pecuniary.

"I deplore this business as much as you do," a silk-mill owner said to me one day, "but I am part of a great industrial system, and so long as the system exists I must run my mill as other mills are run." The gentleman had come to me to beg *that I keep silent* on what I had seen in his mill the previous night. The foreman in charge, with more kindliness than business discretion, had allowed me to go through the mill with absolute carte blanche. When I saw a small girl whose thin features and lusterless eyes attracted my attention, I asked her age.

"Eleven past, sir," she answered.

"How long have you worked in the mill?"

"Two years."

So she began at 9 years, and in a State right next to us where the law fixes the limit at 13.

Do you always work night shift?—

Night shift, mind you—

Yes, sir; all the time.

A little boy was working over a loom a few feet off.

"How old are you, my boy?" I asked.

"Fourteen past, sir."

I should not have thought him more than 11.

Now, let us see the conditions under which they are working. Of course these are not *our* children. They are the children of somebody else that are working *twelve hours a night.* If they were *our* children, we would forget lunch and not sit up nights contriving arguments to show that the Constitution won't let us rescue them.

Mr. Durland continues:

The perpetual click of the rattling looms, the whirr of belts, the crunch and rumble of wheels made a deafening din. The looms moved so regularly that I found my eyes easily tired watching them. It needed only a few moments of fixed gazing to appreciate the story told by one little girl who had had to quit the mill.

I ask the attention of every Senator in the Chamber to this, because it is typical. Said this child:

"The tangles were always worst when I was tiredest. I had to twist back the reel for a long, long time until all the tangles were gone. The big girl who had charge of our department often scolded me, and sometimes the man who was night superintendent told me he would discharge me if I couldn't do better. Then my head would ache something awful, and I would have to cry, and some other girl would straighten out the tangle."

Another one employed in a mill near Scranton, who had been transferred to day shift, said:

"When I first went to work at night the long standing hurt me very much. My feet burned so that I cried. My knees hurt me worse than my feet, and my back pained all the time."

I stop here to remark that this is no occasional instance. It is typical and common.

Mother cried when I told her how I suffered, and that made me feel so badly that I did not tell her any more. It does not hurt me so much now, but I feel tired all the time. I do not feel near as tired, though, as I did when I worked all night.

My eyes hurt me, too, from watching the threads at night. The doctor said they would be ruined if I did not stop the night work. After watching the threads for a long time *I could see threads everywhere*—

A little girl 9 years old, mind you, went through this—

When I looked at other things there were threads running across them. *Sometimes I felt as though the threads were cutting my eyes.*

No wonder. She had been working twelve hours at night, looking at the ceaseless play of the threads; she was 9 years old; she had been standing on her feet; and this is going on in a country about which we make earnest and passionate Fourth-of-July orations.

But Mr. Durland says that—

Bad as this aspect is, there is another, a sadder and more terrible feature. The close atmosphere of the factory rooms in the dead of night tends to stupefy the children. To freshen them and drive the natural drowsiness away they are encouraged to spend their midnight half hour running in the open air.

Mark that humanity. The silk mills really give the children a half hour for luncheon at midnight. I hope American women will think of all these things when they put on their silks. Mr. Durland goes on:

The mills usually occupy isolated sites. They are often on the edge of a mining village, sometimes by the banks of the Susquehanna, or near the foot of the hills. Open fields and shadowy woods surround them.

And then occurs a statement which I prefer not to read, but which every Senator will quickly infer.

I shall read from another article in the Outlook. The affidavit is among my papers here some place. I assure Senators I have it. It will be presented and will appear in the RECORD. This is a continuation of the description of this evil. Here is the affidavit, and I ask that it be read from the Clerk's desk:

To whom it may concern:

This is to certify that Rev. Peter Roberts, Ph. D., of Mahanoy City, Pennsylvania, appeared before me this day, February 5, 1907, and, being duly sworn, affirms that the facts, conversations, and interviews as set forth in his article on the question of "Child Labor in Eastern Pennsylvania," which appeared in the Outlook, a weekly magazine published in New York City, the issue of December 7, 1904, are true to the best of his knowledge and belief.

REV. PETER ROBERTS, Ph. D.,
517 E. Center Street, Mahanoy City, Pa.

Sworn to before me this 5th day of February, A. D. 1907.
[SEAL.] ROBT. W. WYATT.
Justice of the Peace.

My commission expires first Monday in May, 1910.

MORE EXAMPLES OF GIRLS' WORK IN PENNSYLVANIA.

Says Doctor Roberts:

Ten or fifteen years ago night work for girls was unknown in this State—

This is Pennsylvania—

Ten or fifteen years ago night work for girls was unknown in this State. The evil arose when the silk-throwing plants were built in anthracite communities; and as these enterprises multiply, the number of tender children employed at night increases.

So you see we are not talking about something that is old. We are talking about a new and *increasing* evil. If the census figures showing 750,000 children at work in other occupations than agriculture be correct—and I have shown that they are far beneath the truth—the increase since 1900 would make to-day over 1,500,000 children engaged in something else than agriculture.

Says Doctor Roberts:

A plant in Dickson City, employing some 300 hands, draws its labor supply from a radius of 2 miles, and young girls not 16 years of age work twelve hours for five nights in the week. When an employer was asked "Do they work as well by night as by day?" he answered, "No; they don't sleep in the day, and when midnight comes they get drowsy"—

How extraordinary! *Children* working on their feet *all night* get drowsy! How indolent of the children—

"and the waste is larger." I saw little girls going to and fro before scores of revolving spindles, having their short dresses tied with a cord to keep them from being entangled in the machinery as they stretched on tiptoe to catch the broken thread.

And these little girls in short dresses, standing before these whirlers—some of them making 25,000 revolutions a minute—from *6 p. m. to 6 a. m., get drowsy.* It means more waste—the waste of nerve and tissue of future mothers in the Commonwealth of Pennsylvania.

Future mothers, you know, of the "capitalists" of the New York Sun's prophecy.

I shall refer to the book again upon another phase of the subject.

MR. NICHOLS'S ACCOUNT OF THE BREAKERS.

Now I will read the only article I shall read which will not be supported by an affidavit, and the reason of that is that the writer is dead. It is an article entitled "Children of the Coal Shadow," by Francis H. Nichols, in McClure's. He also adds his testimony to Mr. Lovejoy's, Mr. Durland's, and Mr. Spargo's about the work of boys on breakers and just what that work means:

After being ground in heavy machinery in the cupola of the breaker, the broken coal flows down a series of chutes to the ground floor, where it is loaded on freight cars waiting to receive it. The chutes zigzag through the building, about 3 feet apart. Between them, in tiers, are nailed a series of planks; these serve as seats for the "slate pickers." Mixed with the coal are pieces of slate rock, which it is the duty of the slate picker to detect as they pass him and to throw into another chute which passes to the refuse heap below.

A few of the slate pickers are white-haired old men, superannuated or crippled miners who are no longer able to blast coal below ground, and who, for the sake of a dollar a day, pass their last years in the breaker; but an overwhelming majority in all the breakers are boys. All day long their little fingers dip into the unending grimy stream that rolls past them.

The coal so closely resembles slate that it can be detected only by the closest scrutiny, and the childish faces are compelled to bend so low over the chutes that prematurely round shoulders and narrow chests are the inevitable result. In front of the chutes is an open space reserved for the "breaker boss"—

Senators who heard the evidence given the other day will remember that both Mr. Spargo and Mr. Lovejoy testified that the boss sat some distance back with a stick in his hand and

occasionally, with a piece of slate or coal, spurred the boys on to greater effort. "By a multitude of witnesses," says the Bible—

In front of the chutes is an open space reserved for the "breaker boss," who watches the boys as intently as they watch the coal.

The boss is armed with a stick, with which he occasionally raps on the head and shoulders a boy who betrays lack of zeal. This is in America, you know.

The breakers are supposed to be heated in winter, and a steam pipe winds up the wall, but in cold weather every pound of steam is needed in the mines, so that the amount of heat that radiates from the steam pipe is not sufficient to be taken seriously by any of the breakers' toilers.

From November until May a breaker boy always wears a cap and tippet and overcoat, if he possesses one, but because he has to rely largely upon the sense of touch he can not cover his finger tips with mittens or gloves. From the chafing of the coal his fingers sometimes bleed, and his nails are worn down to the quick.

The hours of toil for slate pickers are supposed to be from 7 in the morning until noon and from 1 to 6 in the afternoon; but when the colliery is running on "full-capacity orders" the noon recess is reduced to half an hour, and the good-night whistle does not blow until half past 6. For his eleven hours' work the breaker boy gets no more pay than for ten.

Mr. CARMACK. About what are the ages of these boys?

Mr. BEVERIDGE. The Senator evidently was not here Wednesday. I have not attempted to recapitulate all that testimony. I then read an article supported by the affidavit of Mr. Lovejoy, giving the names and ages of the children. They range all the way from 8 years up to 14 years, all of that being a violation of law; and I am coming to the age.

The writer goes on and describes how difficult it is to get any of them to say anything about it, because they think it is the inspector perhaps, or something of that kind, and they do not want to betray their fraudulent certificates. But he got into communication with the boys through a labor union.

For this reason my inquiries of mine boys as to their work and ages were always conducted under the sacred auspices of the union.

The interrogative colloquy was invariably something like this:

"How old are you?"

BOY. "Thirteen, going on 14."

SECRETARY OF THE LOCAL. "On the level, now, this is union business. You can speak free, understand."

BOY. "Oh, dat's a diffurnt t'ing altogether. I'm 9 years old. I've been working since my fadder got hurted in th' explosion in No. 17 a year ago last October."

A system of compulsory registration of births, such as exists in most of the other States of the Union, might settle the question of the ages of the children, but, strangely enough, such does not exist in the State of Pennsylvania. Without some such source of evidence, notaries and inspectors, knowing to a moral certainty the perjury, can prove nothing.

I send to the desk and ask to have read an affidavit. I call the attention of the Senate to the fact that this affidavit is made by a school-teacher now living and teaching in Washington, who taught a school near one of the breakers and later on taught a school in New Jersey, and she made personal observations concerning the facts to which she testifies.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

DISTRICT OF COLUMBIA, *United States of America, ss:*

Miss Olive G. Murphy personally appeared before me, a notary public, who on oath says she has taught in the public schools of Dickson City, Pa., a town 6 miles from Scranton, Pa.

During the strike the breaker boys came to her primary school. She then realized how little these boys had been in school.

They were between 9 and 12 years of age, and were in a class of children 6 and 7 years of age. The breaker boys were not able to read in the first reader or write their names, which proved to her that they had been working before the age limit.

The boys not only lost the education which is due to them, but their health was impaired by breathing the coal dust, injuring their lungs; working in darkness, injuring their eyes; position while working, giving them cramped bodies.

She has lived in Scranton and has seen the home life, which told her that school was the only place where the miner's child could receive an education to fit him to become an American citizen.

She saw in Paterson, N. J., at Barber's linen mill, the small girls outside with wet clothing, as if they had been out in the pouring rain. The work in this mill is not fit for any child, especially the small girls who work there.

OLIVE G. MURPHY.

Subscribed and sworn to this 25th day of January, 1907.

[SEAL.] EDGAR L. CORNELIUS, *Notary Public.*

Mr. BEVERIDGE. I send to the desk and ask to have read another affidavit.

CHILD LABOR IN MAINE.

The VICE-PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

I, Arthur F. Cushman, of Auburn, in the county of Androscoggin and State of Maine, on oath say that the facts stated in the article appearing in the Lewiston Evening Journal, of Lewiston, Me., on Saturday, June 16, 1906, entitled "Child Labor in the Lewiston Mills," and signed by me, were at that time true to the best of my knowledge and belief.

And I, on oath, do further say that the facts stated in the article appearing in the Maine Magazine of November, 1906, entitled "Child Slaves of Maine," and written by me, were at that time true to the best of my knowledge and belief, and that the photographs appearing in said last-mentioned article were taken by me under the conditions described therein.

ARTHUR F. CUSHMAN.

LEWISTON, *January 10, 1907.*

STATE OF MAINE, *Androscoggin, ss:*

Subscribed and sworn to before me.

[SEAL.] RALPH W. CROCKETT, *Notary Public.*

Mr. BEVERIDGE. The extract which I wish to read from Mr. Cushman's article in the Maine Magazine is as follows:

There are 2,000 children, 14 years of age and under, working in the cotton and woolen mills and shops of Maine. That is my estimate, made after careful consideration of the data I have myself gathered. It is substantiated by the investigations of half a dozen honest men and women who have thrown their time, energy, and means into the work. Indeed, the labor unions constitute the only body of men who have presented a consistent front against this slaughter of children's tender bodies and innocent souls.

Two thousand children!

This number is constantly increasing. The increase is more noticed in the number of girls employed.

Over half of these attend no school throughout the year. Some of them, even as young as 11 years of age, have spent their last day in school.

Lewiston and Auburn alone furnish three-quarters of a thousand of these unfortunate children, and a more sickly, pinched, dull-eyed, and colorless cheeked gathering of little tots can not be found outside our hospitals.

An attempt has been made by the mill managements in times past to deny these facts and figures, but in the face of the evidence I have at my disposal they dare not now repeat that denial over their own signatures.

There was, I believe, a denial of some of these statements, and almost at the same time the Lewiston Journal of April 16, 1906, published a description of the killing of Francis Russell, who was a boy of 11 years of age working in the mill. There was no denying that boy's age. I have the Lewiston Journal's account of the accident.

Mr. Cushman published in the Lewiston Journal a rather extensive article, from which I extract merely the bare statements of fact. He says:

It is not my purpose to make any statements here that can not be substantiated by the actual data in black and white, which I have at my disposal. After perhaps the most careful investigation regarding child labor ever made in this community, an investigation covering nine months of persistent effort, from June, 1905, to March of the present year, an investigation that has brought me into close touch with the home life, the street life, and the mill life of these children of poverty, an investigation itself following nearly three years of careful, open-minded observation—after all this I am prepared to say that here in Lewiston, in five of these million-dollar cotton mills, human lives are being blotted and crushed, human ambitions are being stifled and drowned, human souls are being starved, poisoned, destroyed, not because these children are not smart, not because they are not good, not because they are not willing to work, but because mill owners must have their dividends, mill owners must grind their dividends out of the flesh and blood, out of the intellects and souls, not of grown men, not always even of women, but of children.

* * * * * * *

Starting with the summer vacation for 1905, a systematic division of territory, a careful study of conditions and subsequent laying of plans occupied the time through the rest of June and through July to the 1st of August. I have thought it best to observe absolute secrecy in pursuing this work.

* * * * * * *

This has been a success. It has allowed me to associate with mill help with never a suspicion of my purpose. I have entered into their lives; I have studied them, their motives, their incentives; I have won their confidences.

* * * * * * *

Beginning with August I visited in succession each of the upward of thirty mill gates, some of them twice and some three times. At these gates, while the help were passing in and out, I have taken a "census."

It should be borne in mind that these figures are without value, almost, unless I have been able to tell pretty nearly, upon casual observation, about how old a mill child is. I would only say that I have cultivated the acquaintance of these children for what is now over three years. You have passed a law that no cigarettes shall be sold to boys under 14 years of age, and you leave it with the dealer to estimate the ages of his youthful customers. You allow no liquors to be sold to minors, but you leave it with the city liquor agent to guess how old his applicants are. With fully as much care and discrimination—with, perhaps, even more care and discrimination—I have estimated the ages of these child workers as they have passed before me, in and out of their daytime prisons. I may have made mistakes, perhaps serious mistakes, but I have made generous allowances, and as I review the results of these nine months of work I fully believe that if my figures are far from correct, it is because they are too low rather than too high.

Then he proceeds to give the mills in detail and the gates by numbers and the children and the ages of the children found at each, and that, of course, is too long either to have read or to spread at length in the RECORD. The summary is what we care about.

Now, the figures given above indicate about 467 boys and girls seemingly under 15 years old employed during vacations in the public schools. Figures do not tell the story of tired eyes, wasted, pinched bodies, drooping heads, and dragging feet. We may say that there are very nearly or quite half a thousand of these children laborers, and yet the meaning of these statistics will hardly dawn upon us. Out of all of them, as they have passed before me, I doubt if I could have picked out half a hundred of them whom I would not place under a doctor's care were they children of mine. Whether this widespread anæmia, which often ends in consumption, is due to sustained overwork, which no child's stomach is able to make up in nourishment, or whether it is

due to undernournishment from cheap or adulterated food which it is ever the lot of the children of the poverty stricken to eat, I do not care to say.

I will state the situation as I, personally, have found it. However, the mortality among these children must be great. I have heard United States statistics quoted to the effect that the average child under 15 who goes to work in the mill averages to live but five years, but have been unable to get a copy of these figures. Doctors who practice in southern mill districts, where hours are longer, place the average at three or four years. In Maine, where the hours of work are only eleven a day and where the climate is colder and dryer, the children would live much longer than this on the average. Many of them live to raise families. But what children are theirs!

Returning again to the facts that I, personally, have been witness to, I desire to state further that the 467 boys and girls given in the above table are about one-half of the actual number of boys and girls working in the mills who are yet, as we may say, in short trousers or short dresses.

The rest of this article I shall refer to on the question of the nonenforcement of law when I come to that topic.

THE CHILDREN OF FOREIGNERS.

Thus far, Mr. President, these items, uninteresting perhaps to Senators, but of infinite consequence to this nation, have concerned foreign children more than American children. The names which I read the other day in Mr. Lovejoy's article indicated that they were foreigners, that they were Slavs and Italians and Hungarians. (This extract is inserted hereafter under head of "Nonenforcement of Laws.") Anybody who has made a study of the situation knows that this is also true in the New England States. In Maine, in New Hampshire, in Vermont, immense numbers of foreigners—French, Russians, Canadians, and Slavs—have gone into the mill towns and are at work.

But that does not decrease my sympathy, if I was taking this up as a matter of sympathy, which I am not. I am interested in this matter not only from the point of view of sympathy for these children, but for the future of this Republic. All of us have seen growing within the last ten or fifteen years a class which men of all parties concede to be very dangerous to free institutions; and that that class shall not increase as it is now increasing, but that it shall be exterminated is the chief concern in the consideration of this bill.

But even if it were only sympathy, my sympathy is as broad for the child of the foreign immigrant as it is for the child of an American.

Mr. President, the children of foreigners, if they have a chance, make admirable American citizens. I wish every Senator who doubts this might read a remarkable article in the American Magazine some three months ago, entitled "A mother of Americans," and citing merely the cold facts without adornment. It told of how a young Lithuanian woman and her husband had gone to Chicago, and described the magnificent children they reared and the splendid citizens of this Republic which these "foreign" parents' sacrifice and toil and love of liberty, which brought them to this country, had produced in their children.

"Foreigners?" I suppose we were all "foreigners" once. I have no patience with the narrow view that some of us monopolize all the real and original humanity of the world. These people who come here make in the course of one generation admirable citizens if their bodies are not broken and their souls are not crushed and their minds are not stunted in the meantime. And when you do that to any children, whether they are Americans or "foreigners," you have spoiled citizenship and ruined human life.

But now, Mr. President, I come to a section of the country where this evil is greatest and most shameful and where it is practiced *upon the purest American strain that still exists in this country*—the children in the southern cotton mills, to whom I am now going to call the attention of the Senate. I am sorry that so few Senators upon the other side of the Chamber are interested in this question. I should like them to hear it. The evil is practiced in these States upon children who are the unadulterated, unmixed "American," the pure Scotch-Irish, whose fathers fought at Guilford Court House and Cowpens and followed Marion to victory.

Their blood has never been adulterated from that day to this. Every sociological investigator testifies that those southern children of this origin are capable of infinite development. But the *children* are not being developed. The *mills* are being "developed." I shall show you by the actual testimony of personal investigators that instead of being developed, these children are being ruined by the tens of thousands.

CHILD LABOR IN SOUTHERN COTTON MILLS.

First, Mr. President, I shall read from an article in World's Work. World's Work is another one of the publications which can not be classed with those publications as to which I quoted an opponent of child-labor legislation as calling them, in vast contempt, "them there magazines." All these magazines are very high class, which do not accept anything that they do not have reason to believe is accurate.

I have not been able to procure the affidavit of Miss Ashby, who wrote this article, because she is now married to an English officer and at present lives in South Africa. But I will procure it before the debate terminates, if the letter can get to the interior of South Africa by that time. She went south as an investigator of the American Federation of Labor, and I shall present in concluding, when I sum up the testimony in this case, her article in the American Federationist, illustrated by pictures, so that Senators who doubt, so that Senators who think that words too lurid are being used, can with their own eyes take the testimony of the photographic lens as to what those children look like and what kind of a looking woman this sweet-souled investigator is. I shall exclude from this, as from all other articles, everything except merely the definite, detailed description of the *fact*.

Miss Ashby says:

Walking up the long, orderly building, deafened by the racket, yet fascinated by ingenious machinery, you become suddenly aware of a little gray shadow flitting restlessly up and down the aisles—a small girl, and with bare feet and pale face. She has a worn and anxious aspect, as if a weight of care and responsibility rested already on her baby shoulders. She either does not look at you at all or she turns her eyes but for a moment, unchildlike in their lack of interest, looking back immediately to the spinning frame.

A thread breaks first at one end of the long frame, then at the other. The tiny fingers repair the damage at the first place and she walks listlessly to the other. Something goes wrong above, and the child pushes forward a box to stand on that she may reach it. With a great shock it dawns on you that this child is working.

This is a scene with which I became too painfully familiar ever to forget or to misrepresent. During the latter half of December, 1900, and the first half of January, 1901, I visited *twenty-four* cotton mills in sixteen cities and villages of Alabama. I chose Alabama because the industry, although comparatively new there (only four out of the twenty-four mills I went through averaging more than five years' existence), is in an active stage of growth, and a child-labor bill had been pending before the legislature.

It was defeated after a severe fight, and the present law, which is practically no law at all, was put on the statute books. Miss Ashby continues:

I was prepared to find child labor, for wherever easily manipulated machinery takes the place of human muscles the child is inevitably drawn into the labor market, unless there are laws to protect it. But one could hardly be prepared to find in America to-day *white* children, *6 and 7* years of age, working for *twelve hours* a day—aroused before daybreak and toiling till long after sundown, in winter, with only *half an hour* for rest and refreshment.

That is what is going on in the South, as I shall show by scores of actual examples, giving the definite description of the children, how old they were, where they worked, and how they looked, all given under oath.

When the mills are tempted by pressure of work they make the same old mistakes of their industrial ancestry.

Their industrial ancestors I am going to refer to at some length. They were the English. This infamy began in England a hundred and some years ago, but England began to reform it a hundred years ago, although, even then, too late.

Some of them run the machinery at night, and the little children are called on to endure the strain of all-night work—

I would not read the following if I did not have another witness to this fact—

and are sometimes kept awake by the vigilant superintendent with cold water dashed into their faces. I should hardly have believed it *had I not seen those things myself*.

One evening in December I stumbled through a totally unlighted mill village, falling by the way into ditches and deep ruts, and knocked at the door of one of the wooden huts where I saw a light. I asked the woman who opened it if I might come in. Assenting, she ushered me in. She was surrounded by a brood of very small boys, and her consumptive husband sat beside the fire. The smallest child, a poor little fellow that looked to be about *6 years old*, nestled up to me as I talked to them. All worked in the mill except the mother, they told me.

"Not this one!" I exclaimed, looking down at the wee, thin boy beside me.

"Why, yes." He had worked *for about a year;* last year he worked forty *nights;* he was *nearly* 8 years old now. They left that mill because the night work was too hard on the children.

In answer to a query from me, the child said that he could scarcely sleep at all in the daytime.

At one place I heard of children working on the night shift, *turned out* for some fault *at 2 o'clock in the morning*, allowed by a compassionate clerk to go to sleep on a bench in the office, as they were afraid to go home.

Ladies told me, too, of a common sight in the mill cottages—children lying *face downward on the bed sleeping with exhaustion, just as they had come in from the night shift, too utterly weary even to remove their clothes.*

ALL THESE ARE "AMERICAN" CHILDREN—NOT "FOREIGNERS."

That is not on the coal breakers of Pennsylvania or in the cotton mills of the North. These are not foreigners' children—Huns and Slavs and Bulgarians. These are *American* children working in the South to-day.

Continues Miss Ashby:

Often the whole family, except the baby actually in the cradle, is in the mill. Two or three of 8 years or older might be on the pay roll, but the youngest paid worker can get through her "side"—

"Side" is the term by which they measure the pay—

At 10 cents a day—

At 10 cents a day! A child 6 years of age, working *twelve hours, standing on her feet*, at 10 cents a day!

at 10 cents a day—with more ease if she has her little brother of 6 to help her.

I have *seen* a boy *under 4* beginning his life of drudgery by pulling the yarn off bobbins to make bands.

A manager courteously conducting me through the mill would often explain—at some exclamation from me—"these very little ones are not *working;* they are only *helping* their brothers and sisters." I accepted the explanation until it dawned on me how numerous were these wee unpaid assistants.

Turning back once more to the purely human aspect of this uncivilized system I would say that no array of facts and figures are needed by those who have *seen* it in operation. I am familiar with the slums of two continents, but I can say I have never seen a more pitiful sight than the mill children, nor known little ones for whom the outlook was more hopeless.

It is not only that they are pale, shrunken, and bowed—they look as if their brains were hypnotized and their souls paralyzed. A friend of mine in Atlanta, thinking to give some of these little victims a treat, asked a number out to her place in the country and turned them into the woods to play. What was her distress and amazement to find that *they did not know what the word or the thing meant.*

American children, not foreigners like in Pennsylvania and in New England, but American children in the Southern States that do not know what "to play" means. I shall quote from this book some more when I come to an examination of the impossibility of the States handling this evil.

Mr. President, I send to the desk and ask to have read a cablegram.

The PRESIDING OFFICER (Mr. SMOOT in the chair). The Secretary will read as requested.

Mr. NEWLANDS. May I ask the Senator from Indiana in what State the condition to which he refers as to age exists?

Mr. BEVERIDGE. I will describe it very definitely. There is a map [indicating] where you see the Southern Railroad with little black dots on the map. The little black dots represent cotton factories which have grown up along the line of that road, and they honeycomb the States of Georgia, Alabama, South Carolina, and North Carolina. They also exist elsewhere—everywhere, more or less. The things that I have now been reading from were from Alabama, and what I shall immediately read from are Georgia; and on a little later I shall present some affidavits from North Carolina and South Carolina. I have spent one day on Pennsylvania and some of the other places in the North where, without using a word that is too strong, the crushing of these children is given, notwithstanding it is excused upon the ground that they are the children of foreigners. In the Southern States they are not the children of foreigners, and when I get to that part of my argument I am going to call the serious attention of Southern Senators to a future for the South which this very evil is now creating.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[Cablegram.]

PARIS, *January 21, 1907.*

Senator BEVERIDGE, *Washington:*

Ready swear accuracy child-labor articles Post.

VAN VORST.

Mr. BEVERIDGE. I shall now read illustrations of what exists in the South, written in a remarkable series of articles in the Saturday Evening Post, of Philadelphia, from Mrs. Van Vorst's personal investigations. I tried to get her affidavit, as I got the affidavit of the rest of the witnesses from whom I read, but she is now in Paris. So she was cabled as to whether she would make the affidavit, and she has sent back the cablegram you have just heard, that she is willing to make affidavit to the truth of every one of the statements that are here made. She says:

A SOUTHERN "MILL TOWN."

Anyone who has visited a mill town knows the deserted aspect of its streets during the daytime. Had it not been for the roar of the engines which throbbed on as the pulse continues to beat, in unconsciousness, I might have supposed Alabama City to be a village whence all life had suddenly fled.

I pass over a description here and get down to her questioning of the children and her description of the children. She went to one of the mills and first encountered a little girl, a little girl that had worked *twelve hours a day* and was *too tired to stand.* Mrs. Van Vorst says:

She sank down beside me, leaning back against the post of the doorsteps. Her face was hardly less white than the knitted woolen "cloud" which covered her head.

"I am tired enough to sit down," she sighed.

"Do you get tired in the mill?" I asked.

"I reckon I do. We live up on the hill yonder, and when I first started to work it didn't seem nights like I ever could get home. Now I don't mind it."

"How long have you been at work?"

"Over a year."

"And how old are you?"

"Eleven."

"What are the hours in the mill?"

"About twelve a day, I reckon."

"Twelve?"

Listen to this description. She tells how she arrived at her estimate of twelve hours a day:

"Well, there's the first bell at *half-past 4*—"

That is in the morning, Mr. President—*half-past 4 in the morning*—

"that's for ringin' us up; then there's the second bell for breakfast; and they don't give us more than a few minutes to eat before they begin callin' us at 20 minutes to 6."

A girl of 11 years, and I will show instances of girls of 5, 6, and 7 that are gotten out of bed at *half-past 4 in the morning and are standing on their feet at 6*, working for *twelve hours* a day, until the sun goes down.

"And you get out at——"

"Twenty minutes a-past 6."

A girl awakened at half-past 4 a. m.; in the mill at 6; working all day until half-past 6 p. m. That is the kind of a person out of which we are going to make the "capitalists" of the future, according to the editorial that I read when I began my remarks.

With only half an hour for lunch?

She leaned listlessly against the wooden post.

Here is another example. I choose to give these specific illustrations so that we will not be indulging in any suppositious cases. Here is another girl:

She was the victim, and there are many, not only of greed, but of the ignorance of parents. Her father and brothers made enough to support the family and to put money aside, for the house in which they lived they had built themselves, and they owned it and the ground on which it stood.

Then Mrs. Van Vorst, to be absolutely truthful, gives a statement about the generosity of the mill owners themselves.

The founders of the mills at Alabama City have made the village as attractive as possible (given the monotony which any place must present where everybody has about the same income, and that income very small). The little one-story houses occupied by the mill families are built with sloping, irregular roofs, verandas which are more or less screened by vines the company has planted. About each home there is a small bit of ground inclosed with a fence, all of which, together with the fact that no two of the cottages are just alike, gives a pleasing aspect to the town. No law obliges such corporations to provide a schoolhouse and teacher or a library, and one's first impulse is to feel that here, really, is a mill run almost on philanthropic principles. Alabama City is undoubtedly the most attractive mill town in the South, but the difficulty of procuring operatives and of keeping them is so great that it is a good investment to make the surroundings as alluring as possible, and it is cheaper to offer swimming pools and amusement halls and lodge rooms than it is to raise the wages of 2,000 laborers.

When the half past 12 bell rang, the diverse avenues of the little town began to fill with the slow, languid procession dragging along toward the open mill gates.

Then she joined the operatives. Then she says:

Three things struck me most forcibly: The ghastly appearance of all the hands; the extreme animation and cheerfulness of the *little* children; the appalling languor of the girls and boys who were *fifteen and over.*

Here, as well as when I begin to examine the reasons for the deterioration of the British people, I might as well point out that when the children begin work, say, at 7 or 8, they are extremely animated. The vitality which ought to go for growth, which ought to go for development, goes into the work they are doing, and it is with neurotic activity that they toil. But so exhausted do they become by that kind of labor in that kind of an atmosphere that one of the consequences is that by the time they have reached 15 and 16 they are practically nervous wrecks.

The girl who volunteered to "show me around" was typical; she had the natural awkwardness of those whose muscles have deteriorated because of poor nourishment. She hitched along, wielding her arms and hands, like so much dead weight, as best she could. Her face was pale to transparency. How old was she? "Most 16." And how long had she been at work? "*About eight years.*"

Down in the "weave room" my guide was a girl of 14, whose apprenticeship at "spinnin" had lasted five years.

The first girl began work at 8 years of age and the last girl at 9 years of age.

There's just piles of little ones in here—too little, I think.

That is what the girls were saying to Mrs. Van Vorst.

When the owner used to come through we used to "run out," those tiniest ones.

"Run out?" I asked.

"Yes; hide 'em in the closets or anywhere for fear he'd stop 'em workin'."

There are humane men among these mill owners.

A FUTURE "CAPITALIST."

Here is a description of one of the future "capitalists," which the New York Sun seems to think will develop from these children. This is the best description of the best child that Mrs. Von Vorst specifically describes:

His legs and arms protruded, bare and lank, from clothes long since outgrown, and his whole attitude expressed such physical exhaustion that instinctively I exclaimed to the woman who waited at the doorstep:

"Is that your boy?"

Perhaps she detected something more than curiosity in my tone, for she answered:

"Yes, mam. He's been sleepin'. He's on fer *night work* neow."

This boy was 15 years of age, and had begun to work at 7. He could not read or write and insisted that next year he was going to school. He was helping to support his mother. He was a fine type of boy.

He had never had a book in his hands or "scratched a line," as his mother put it; he had had no contact with that outside world of imagination and learning in which the rest of us dwell. He had been for years up before dawn and plied in the *service of a machine for twelve hours a day;* he had spent his childhood as a laborer, a bread winner, who earned food and shelter not only for himself, but for another; he had lived without pleasure, without amusements, without hope—without hope, yes; but never without courage.

And when at last an opportunity presented itself, what form did it take? The chance to extenuate his remaining energies working night and day; to be drenched to the skin; to be too tired to eat when food was put before him, too exhausted to sleep when his head touched the pillow. This was his chance, and he met it fighting the good fight and bound to be victor. His lank and withered body gave evidence sufficient of what he was going through.

In Georgia, I think it was—the Senators from that State can tell me if it was not—there was a "gentleman's agreement" among mill owners in lieu of the law such as they have now. I will have something to say about that law later on.

Mr. BACON. What is the Senator's remark?

Mr. BEVERIDGE. A "gentleman's agreement" among manufacturers it was called.

Mr. BACON. Does the Senator mean to inquire whether or not there is a law in the State on that subject?

Mr. BEVERIDGE. No; I do not inquire. I know.

Mr. BACON. I do not understand the Senator's remark.

Mr. BEVERIDGE. What I am explaining, or was just about to explain, is that there was in Georgia among the cotton manufacturers a "gentleman's agreement" about the working of children.

Mr. BACON. There was.

Mr. BEVERIDGE. That took the place of the law. You have a law down there at present which, for the purpose of stopping child labor, is not worth the paper it is printed on, as the Senator himself ought to know, and if he does not I shall convince him of it by testimony which can be established in court.

Mr. BACON. Of course, that is a very pointed remark, and if the Senator will permit me to say a word——

Mr. BEVERIDGE. Certainly.

Mr. BACON. I have no design to interrupt the Senator in his presentation——

Mr. BEVERIDGE. That is all right.

Mr. BACON. But as he has, in the first place, appealed to me, and then, in the second place, proceeds to express his opinion with such definite precision and absolute conclusiveness and to lay upon me the responsibility of a possible want of sincerity——

Mr. BEVERIDGE. No, no; I did not say that.

Mr. BACON. I simply wish to say to the Senator, for I disagree with him with very great hesitation and much diffidence and great regret in view of the predetermined judgment he has pronounced upon the matter——

THE GEORGIA LAW.

Mr. BEVERIDGE. I wish to say that I disclaim any intention of reflecting on the Senator's sincerity, and I do not know how in the world he ever could infer it from what I said. I simply said that I am familiar with the Georgia law; I am familiar with the so-called "gentlemen's agreement" that preceded it; I am familiar with the fact that the law does not amount to anything in Georgia, and I was quite sure that the Senator—acute, able, public man as he is, and I say that with all possible earnestness—knew those things. In fact, I do not think the Senator will stand up and deliver any eulogy on the law of Georgia, or if he does, he certainly will not deliver any eulogy upon what happens under it.

Mr. BACON. Mr. President, I would not undertake to follow the Senator in his criticism at this time especially, but in order that I may not be misunderstood I will simply say to the Senator that the need for a law had been generally recognized in my State. One has been passed that is working well at the present time, and it is worth a little more than the paper it is written upon, and the question which is, I think, in the minds of Senators here is not as to whether there has been and is a great evil in regard to this matter, but really whether this is a matter for the attention of the States or a matter to be dealt with, as the Senator proposes, by Federal legislation.

I do not disagree with the Senator in any manner or in any degree as to the importance of legislation of this kind and as to the importance of the correction of the evil which he is so eloquently setting forth and portraying. I am waiting with much patience when the Senator shall reach what I regard as the crucial question here, which is one of law, and when we have the argument in no ambiguous terms of the Senator there will be, he has promised us, no doubt left in the minds of any Senator as to the correctness of his position.

Mr. BEVERIDGE. I will do that, Mr. President; and I would not take so much time, as I stated in the beginning of my remarks, with the statement of facts and the presentation of evidence in the case if I did not mean that it shall be understood that no man can say that this evil is exaggerated; that we indulge in vague charges without coming down to specifications of the actual evil and the infamous inhumanity of it and the danger of it to our institutions. That is why I am taking so much time, I will say to the Senator from Georgia, with the *facts*.

So far as his State is concerned, I say to the Senator, and I think that he will agree with me, if it was in my State I should attack it with tenfold more vigor than I do the evil in another State.

I do not think that in its broader aspects this is a State question at all. I do not intend now to get into the legal part of this argument; but I will say this—that I have so drawn this bill as to eliminate the question of "State rights," because I myself profoundly respect those who sincerely hold to that political doctrine. I have so drawn the bill that every "States rights" man can vote for it without violating his constitutional convictions. If I had not meant to do that, I should have drawn the bill on precisely the lines of the meat bill; but I did not want to meet the question of "States rights," because I knew there are men here who sincerely believe in that political philosophy, and have been in the past, who would be again, willing to risk their lives in its support.

I do not intend to get into any debate upon that, but I think that the broader aspect of this evil is purely national. It is not only State citizens that you are ruining, it is the citizens of the Republic as well. It is not only Georgia children that are being murdered, it is American children as well. It is not confined to Pennsylvania alone. It exists all over the Republic. I shall show by an affidavit that in the Northern States, in which the best factory inspection in the United States exists, Illinois, the law is violated. It is something which in its broader aspect the States, as I shall show when I come to argue that part of it, can not reach.

But what I am doing now is presenting *facts*. I know it is monotonous, I know it is wearisome; but it is like trying a case in court. The *evidence* must be presented. I am very much obliged to the Senator for his patience.

Mrs. Van Vorst continues:

The "gentlemen's agreement" made in Georgia among employers affects only the cotton industry. In all other manufactures no laws, written or unwritten, exist to protect the laborer.

This is July 7, 1906:

WORK IN A BAG MILL.

At a bag company works in Atlanta there are in the spinning room the usual 100 "kids" out of a total of 160 hands. The sweepers and doffers whom I questioned gave their ages as 7, 9, and one little waif responded apologetically: "*I am 5*—I am only he'pin'."

The overseer himself volunteered this conclusive testimony: "There's children in here, lots of 'em that I'm morally satisfied are under 12 years old; but when the parents swear, what can you do about it?"

Of course under this bill if he found himself before a United States court, *with a penitentiary staring him in his face, he would know "what to do about it."* He would err on the right side. That is what he "would do about it," and not accept the false and perjured certificate of unworthy parents, when he morally knew that the child whose life he was crushing out was under-age. *I have no respect for the man whose conscience can be relieved by a perjured certificate as to the age of a child.*

Hear Mrs. Van Vorst further:

Bad as are the conditions in this company's spinning rooms, it is nevertheless not here, but in the bag mill, where there is nothing to restrain employers, where the worst conditions prevail.

The foreman, a kindly man, remarked as he accompanied me to this section of the factory:

"The dust here keeps me with a cold in my head about the whole time."

Fine, pernicious, it rose, this dust, in snowy clouds, filling the air. As I looked into the workshop it seemed as though a veil had been drawn before my eyes.

There were 130 hands in the room—70 of them were little children, the rest were women. Here and there were perceptible in the ghastly artificial light the wooden frames upon which the bags must be stretched and turned. They lifted their prongs high above the heads of the tallest child laborer. Yet with an upward gesture that carried him almost off his feet he must fling one bag after another over this instrument, turn them, and slip them free again with frantic speed.

The women, meanwhile provided with electric sewing machines, whose insistent "burring" produced a peculiar bedlam, were "running up" the seams on these same long and narrow bags which we are accustomed to see used for flour, meal, and the various grocers' provisions. The materials they are made of is stiffened with a dressing of white clay, which, at the first touch, is scattered from the coarse meshes of the loose-woven cotton cloth, and begins to fly about in the air, forming a cloud, settling over everything, filling gradually the lungs that inhale it at every breath.

We are often told how necessary fresh air is for those who exercise, and who, consequently, with an accelerated circulation, need more rapidly to purify their own blood. What it is difficult to imagine, must be the physical condition of the children at these mills! In such an atmosphere as we have above described, one boy turns in a day from 3,000 to 6,000 bags.

Everything, as well as the law, seems to further this voluntary destruction of lives. The public schools in the neighborhood of the mill close at 2 o'clock, so that the youngest children can go into the factory for a half day's work. And the company offers an extra 25 cents in a week's wages for the boys who, ambitious beyond their force, succeed in daily repeating thousands of times the gesture which twists their bodies out of shape.

There is, in the neighborhood of the mill, a Methodist social settlement directed by four residents who are doing admirable work among the mill hands.

I want to stop right here and say to any Senator who doubts this sworn evidence, that I have very large photographs showing the children in these establishments, and you can see what kind of children are working twelve hours a day in such conditions as these. The camera tells no lies.

Here is one illustration:

Out of forty boys who attend one of their gymnasium classes, there are *just two* boys who have reached the age of *12*.

Here is another case:

In this mill there were children at work spinning, rolling yarn onto shuttles, preparing it for the dye room; but as I was accompanied by a clerk from the office I had no chance to question these toilers.

Then she went to another mill.

It was approaching the noon hour, and as I left the mills, walking along in the direction of the village, which lay across the canal, I came upon a small boy whose clothes, flecked with cotton, betrayed him as one of the child-labor brigade.

"Do you work at the mill?" I asked him.

"I quit," he affirmed.

"Why?" I queried again.

"They made me work till 12 o'clock."

"Till 12 *at night?*"

"Yes, mam; an' I had to *come home alone*, so I thought I might as well quit."

A little farther along there was a group of boys varying in age between 3 and 10 years—

This is in Georgia—

The oldest a mere wraith. His face was pale to ghastliness, and his hair had grown long and sparse with a vitality that contradicted the lifelessness of his flesh and skin.

I put the usual question, and he answered:

"I did work to the mill. But I took chills, an' so I quit."

There is no question about those children's age.

Here is another description of child labor in a mill.

Mr. BACON. At what point in Georgia was that?

Mr. BEVERIDGE. At the cotton works in Atlanta, I think.

Mr. BACON. In Atlanta?

Mr. BEVERIDGE. Yes; I think all these mills are at Atlanta, though this whole series of articles deals with the condition in various States, and it is generally known where they are located. I suppose the affidavits must be now on the way.

Toil-worn and haggard, silent, dogged, they resembled in no way the little folks who are yet on the side of life which is all expectancy and hope.

She could get the names of the "truants" in the schools, and having thus obtained the names of the "truants," she would visit the homes where the children were "truants," because they were in the mills until they got home.

The oldest of the trio who returned to this miserable home of which he was the mainstay was 14; he had been nine years at work, and during that existence among the whirling bobbins of the spinning room, something of the machine's monotony had reflected itself irreparably in his jaded eyes."

Of course he will be one of future captains of industry of whom the Sun editorial prophesies.

He was dressed with a self-respecting neatness; his hair was brushed back against his gray, wrinkled forehead—it seemed, indeed, observing his ghastly pallor, as though he were, by his own hands, made ready for the grave, waiting only the final blow which would carry him hence.

* * * * * * *

The other two hands were a girl of 8, who kept still some of the buoyancy of childhood, and a boy of 11, who looked like so much formless clay which had been carried as débris from the potter's wheel.

Silently this little trio filed into the kitchen; there was not half an hour to spend at home, to dine, and to return again to the greedy mill.

* * * * * * *

You might think, you who have watched your own rosy cheeked children devour with normal appetities the hot and savory food set before them at noon, that these little laborers, who already had accomplished a six hours of work, would have fallen ravenously upon their dinner. Without speaking these three children took their places at the table, and, as though with an effort, they swallowed this meal.

* * * * * * *

They did not touch the bacon—their throats, dry and parched from the overheated atmosphere of the spinning room, refused the nourishing food and craved some stimulant, like the clear black coffee, of which they greedily partook.

She describes that too much in detail for me to take time to read it. After the description, she goes on:

"There's everyday school," she went on, "and there's night school three times a week, where I try to send the children, but it seems like they wuz too tired when night comes."

How much did they make—these three breadwinners?

Fifty to sixty cents a day.

* * * * * * *

When the children had slowly and with difficulty swallowed the tasteless dinner, they set out again, silent and dogged, for the mills. And no exception were they. From the rows of frame houses along the canal there came other children making their way, silent, dogged, toward the great brick fabric which produced manufactures to the value of $10,000,000 yearly.

Mr. BACON. The last instance the Senator read was in Atlanta, was it?

Mr. BEVERIDGE. I suppose those are the mills. I suppose she means those mills.

Mr. BACON. But I am speaking about the particular instance which the Senator is now reading.

Mr. BEVERIDGE. I take it, it is Atlanta.

Mr. BACON. I think not, from the fact that there is no canal there. That is the reason I asked the Senator the question.

Mr. BEVERIDGE. At any rate, it is some mill town; but that is not important.

Mr. BACON. If the Senator will pardon the interruption at this point——

Mr. BEVERIDGE. I shall be glad to have the Senator's interruption.

Mr. BACON. I desire to say that while I have no doubt that there have been great evils in this regard in Georgia, while I have no doubt that there have been instances such as the Senator has read, and while I have no doubt, in a general way, that there has been a great deal of evil from child labor in the factories in Georgia, as there has been everywhere where there has been factory work, if not in Indiana—and I presume it is true to a greater or less degree there, although the Senator's remarks as to what condition exists in Indiana would indicate that, in his opinion, such a condition does not exist there—I want to simply say that, while there may be these instances, as doubtless there have been, and while I would not minimize the fact that the general matter of child labor in the State has been one which has constituted an evil, still it is a very great injustice to present these isolated instances as representative of general conditions. For myself I have been in a position where I have seen a great deal of the factory population, although I never owned a dollar's worth of stock in a factory in my life. I know that the instances which have been recounted here are not representative of the general conditions.

I simply want to make that general statement in justice to an industry in my State, which is a very large one, and very largely under the control and management of men whom I know personally to be men of high character. While these evils have existed to an extent possibly which should not have been permitted under their supervision and management, possibly in isolated instances such as have escaped their immediate attention, in the large manufacturing centers of Atlanta and Augusta and Macon and Columbus, where these cotton manufactories are, and other towns, dozens of which I could mention, the factory population generally are in a comfortable situation. They live in well-built and well-ventilated houses, not crowded, and the conditions are not such as have been portrayed by these magazine writers, whose articles I have sometimes read, about the factories in my own immediate neighborhood, where I have known the facts. They have taken isolated cases and have endeavored to make it appear that they represent general conditions.

If I do not trespass upon the Senator too long, I wish to add, as he has brought up the State of Georgia pointedly——

Mr. BEVERIDGE. Not more pointedly, I will say to the Senator, than I have brought up Pennsylvania or Maine, or than I intend to bring up North Carolina and South Carolina; not more pointedly than I did Alabama, and not more pointedly than I will New Jersey or any other State where such conditions exist.

Mr. BACON. I quite understand that the Senator desired to make no particular allusion to my State.

Mr. BEVERIDGE. No; but just to refer to the States where the conditions exist.

Mr. BACON. If the Senator will permit me a moment——

Mr. BEVERIDGE. Certainly.

Mr. BACON. What I wanted to say is that the Senator has pointedly alluded to the Georgia law, which was intended to correct these evils, and he has spoken of that law as not being worth the paper on which it is written. I wish to ask the Senator, in this connection, in order that it may go out to the country with the learned speech of the distinguished Senator from Indiana, to permit me to insert in the RECORD in his remarks the law of the State of Georgia in regard to child labor.

Mr. BEVERIDGE. No; I do not want it published in the RECORD in the midst of my speech, for I am myself going to give an abstract of your law.

Mr. BACON. An abstract is not the law.

Mr. BEVERIDGE. And I am going to show by prominent newspapers of the Senator's town, and I will put in the sworn statements before I get through, as to the applications under this new law. I will talk about the law a little later, when we come to discuss its utter inefficiency under existing conditions.

As to these being "isolated" instances which do not do justice, etc., if that is the point the Senator wants to make, I am glad he wants to make it and to have him make any other point he wants to make.

Mr. BACON. The Senator's speech will doubtless have a wider circulation than that of any other Senator would have, and as he is more familiar with this subject, having made a study of this question and having denounced this law, of which he proposes to give only an abstract—it is not a very long enactment—I should like very much, in justice to the lawmaking power of my State, to have the law published, in order that the public may judge, not according to the Senator's opinion, but according to their own opinion, when they read the law, whether or not it is an effective and just law.

Mr. BEVERIDGE. The Senator can put the law in his own speech. I shall put an abstract of the law in my speech.

Mr. BACON. But this will not go in the RECORD as my speech at all, but will go in as the Senator's speech.

Mr. BEVERIDGE. Ten RECORDS could not contain all the child-labor laws of the various States.

Mr. BACON. If the Senator declines to yield, I shall not attempt to interrupt him any further.

Mr. BEVERIDGE. The Senator must excuse me.

THESE NOT ISOLATED CASES.

The Senator says—and I want his attention—that these are "isolated" cases. On the contrary, they are *typical* cases. The Senator will have an opportunity to disprove them if they are not true. Everyone who has made these statements has made, or will make, an affidavit as to their truth.

When the Senator says that these are exceptional cases, what does he say about the estimate that there are to-day some 60,000 children 14 years of age or under that work in the cotton mills of the South? That is the fact, and the census figures themselves six years ago, when the industry was only in its infancy, showed there were some 30,000 children under 16 years of age working in the factories in the South. Does the Senator think that 30,000, does he think that 60,000 child slaves are "isolated" or "occasional?" It looks to me as though they are usual.

Before I get through I will take up other States. I will do so because the Senator seems to think we are not dealing with a great national evil, with a great sociological and humanitarian question.

Senators seem to think that they are the attorneys of the States here, and that when something is mentioned in which their States are named they must get up and denounce and deny it.

I am sorry I have to mention the fact that this occurs in the State of Pennsylvania or New Jersey or Maine or Georgia or any other State. It is the evil I am after, and it is the evil that the American people are going to stop.

When the Senator says these instances are "isolated" and "exceptional" and do injustice to these "best people," I will read to the Senator a little bit later on, when I come to an examination of the system of law in one of the Southern States, what some of the manufacturers said before the House Committee about their being the "best people" in another State, and I will bring affidavits from that very State to show that those children are being practically murdered there.

I want to show the fact that just a year or two ago, under one of the best laws in the United States—and when I come to discuss the laws of the States dealing with this evil I shall present affidavits showing that the mill owners of Georgia, of Alabama, and of some of the rest of the Southern States were taking train loads of shipments of children from Tennessee, where the law was properly executed and where they were prevented from perpetrating further outrages upon them.

The Senator is mistaken. He has not studied this question as I have. He has not informed himself upon it as I have and as hundreds of other very devoted people have. And let me say to the Senator people almost as eminent as the Senator himself, and as earnestly for "State rights" as the Senator, who have come, after years of effort for this reform, to the profound conviction that they must appeal to the Nation.

I give as an example of that kind of man Dr. Felix Adler, of New York, and perhaps there is not a more eminent or learned publicist and scholar living that Dr. Felix Adler. Unquestionably he is the most accomplished and learned "States-rights" man in this country. He believes in it as a principle of government, and yet, after having spent years in the study of this question, seeing it was national in character, he believes the evil can only be reached by a law that is national in its application. I repeat, the Senator is mistaken if he thinks it is "occasional" and "isolated." Are 60,000 "occasional" and "isolated?"

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. I want to ask the Senator a question for information. He said there are 60,000 children in the cotton mills of the South. I want to know what proportion that bears to the total number of employees?

Mr. BEVERIDGE. There have been various statements made as to the fact, and I shall produce, before I get through the evidence in this case, a clipping from a paper in North Carolina, which gives the statement, I think, of the president of the Cotton Association, to the effect that 75 per cent of the operatives were children.

Mr. CARMACK. Under 14 years of age?

Mr. BEVERIDGE. Yes.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. I yield.

Mr. BACON. I will not interrupt the Senator any further.

Mr. BEVERIDGE. That is all right; go on.

Mr. BACON. The Senator in reply to the suggestion as to the efficacy of the Georgia law made a statement as to the number of children under age in the South who are now employed in the mills. I should like to ask the Senator, as he seems to have exhaustively studied the question, if he is prepared to state how many children in Georgia under 12 years of age or under 14 years of age are to-day employed in the mills?

Mr. BEVERIDGE. I will answer the Senator even more directly than that. I will state that under the new law, which went into effect this very year, there had been applications for the employment of children up to last week in the county clerk's office—I believe it is in Atlanta, or whichever is the greatest city in your State—for 3,000 children, just as there were in Maryland applications since the new law went into effect there for 11,000 children, 1,200 of which were affected, although the census shows there were only 5,000 children of that age at work after the law went into effect on the first of the year; and I shall present it. There have been applications for more than 3,000.

Mr. BACON. How many of the applications have been granted?

Mr. BEVERIDGE. All were granted.

Mr. BACON. Has the Senator any evidence that they were all granted?

Mr. BEVERIDGE. Yes, sir. There is no factory inspection in your State. I will further say to the Senator that any of the cotton manufacturers down there with whom the Senator is on friendly terms will tell him that the law is not worth, so far as standing in the way of the employment of children is concerned, the paper on which it is written. I have had the statement made to me that it was just precisely the kind of law they wanted. If the Senator wants to defend some portion of his case—I believe he is on the subcommittee which is to pass upon the question as to whether or not we can do anything with this bill—I advise him not to take that phase of it.

I will come to the exact statement about those 3,000. I do not want to disarrange my papers or I would try to fish it up now. At present I will continue the testimony:

ANOTHER MILL.

Passing apparently unnoticed through the spinning rooms I questioned the children at will. Thirty of those to whom I spoke gave their ages as under 12.

That is "occasional" and "isolated"—thirty in one mill.

There were none younger than 9, but many of those 11 and 12 had been five years at work. They worked with a mechanical activity, with nervous energy and determination, and though I saw not one face that had in it a ray of hope, yet I heard never a murmur of complaint nor an exclamation of impatience or revolt.

Over and over again, as I talked with the children, I tried to join the broken threads of the spools onto the whirling bobbins. Missing the "roller" nine times out of ten, and letting thus the "sliver" accumulate in soft, vaporous clouds, I caused some amusement among my youthful instructors.

As far as light and air and new machinery were concerned, the conditions in the mill seemed to be irreproachable. However, though light and air may, in a nursery, prove adequate requisites, in a factory which works its employees mercilessly they contribute only to prolonging for a brief space "the slow death" of the child hands.

Here is another——

Mr. BACON. Mr. President——

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

Mr. BEVERIDGE. Certainly.

Mr. BACON. I hate to interrupt the Senator, but then the Senator's statements, as I say, go out to the world, and the condition that he speaks of as being one that renders absolutely worthless the Georgia law, under which a large number of applications have been made, I want to just read one single sentence from the Georgia law——

Mr. BEVERIDGE. Go ahead; read it.

Mr. BACON. Showing that the condition to which he refers must terminate on the 1st day of January, 1908.

Mr. BEVERIDGE. Yes; it is since the 1st day of January that applications have been made.

Mr. BACON. Exactly. Section 3 of the Georgia statute is as follows:

Be it further enacted by the authority aforesaid, That on and after January 1, 1908, no child under 14 years of age shall be employed or allowed to labor in or about any factory or manufacturing establishment within this State between the hours of 7 p. m. and 6 a. m.

So that so far as night work is concerned, it is absolutely excluded and prohibited.

Mr. BEVERIDGE. What the Senator reads is a good deal as though we should pass this kind of a law: "*Be it enacted by the Senate and House of Representatives*, That men shall be good."

You have no factory inspection; you have no way of enforcing your law; you have no way of properly determining the ages of children, and your law is not enforced.

Mr. BACON. It is made a penal offense to violate its provisions. It can be enforced that way.

Mr. BEVERIDGE. Certainly, it is made a penal offense; but who is to inform and who is to find out? Has there been any prosecution thus far? No; there has been no prosecution thus far, and it is getting along in the year, too.

"DON'T KNOW HOW TO PLAY."

Here is another:

There was in this busy mill an unusual freedom, a surprising indifference to the intrusion of an outsider upon its precincts. I took advantage of it, and lingered to talk with a girl who had followed me out of the spinning room onto the stairs. Her eyes reflected the misery and insufficiency to which she had too soon been accustomed.

"Have you been long at work?" I asked her.

"Yes, four years. I'm 15 now. I come in when I wuz eleavun."

I am going to pass rapidly through this because I want to get to the legal part of the argument, but I must read this to the Senator. Let us see where it is from? In one of the Southern mill towns—

Up in a back yard in Avenue B I found a group of children who belonged in the factory rightly, but who were not at work for the same reasons that big hands are "not at work;" some were ill, some were discontented. They made a pitiful group. Ghastly was their pallor in the broad daylight, and pathetic their childish efforts to amuse themselves. This bruised and limping detachment of the child-labor battalion.

"What are you playing?" I asked.

A tall boy of 10 or 12, with an uncertain hip which seemed to give under him at every step, answered sheepishly:

"*We don't know how to play.*"

There, Mr. President, are two evidences that investigators found children that *did not know how to play* and did not know what they were playing.

"Why aren't you at work?" This was a more suggestive question.

"I got struck in the cardin' room." He touched his hip. "I am only taking a day off."

That boy was 11 years of age. Here was another case:

The first joint of his thumb was gone—

And I want to say to the Senator from Georgia and to all Senators and to the whole country that I can produce evidence, if necessary, that it is not uncommon among the mill children of the South for them to be without one and two fingers, and sometimes two fingers and a thumb, and that, too, before they are 10 years old.

"How did you lose that?" I queried—

Meaning his thumb—

"Cardin'," he answered in his mild, aged manner. "I have been over a year't the mill."

"How old are you?"

"Ten."

So he lost his thumb at 9.

"Are there any boys as young as you are in the mill?"

"Heaps of 'em younger," he affirmed; and then, lest I get an exaggerated impression, he corrected:

"There's none younger'n 8 years old."

"Do you like to work?" I went on.

There was a lassitude about his whole tiny person, yet his response was nevertheless resolute.

"I like work better'n doin' nothin'."

"Wouldn't you like to go to school?"

"I never have been to school," he said, "but I'd love that better'n anything."

I should like the attention of the Senator from Georgia to this. This is from the article of Mrs. Van Vorst:

Determined, as was my declared intention from the beginning, to relate only what I myself saw and heard, I have in writing these accounts kept to the truth in every detail. Yet I doubt whether these simple descriptions have conveyed vividly enough the impression of misery, of hopelessness, of weariness, and depletion given by the children who toil, to one who considers them from the human point of view, and not merely as the inconveniences of a "necessary evil."

* * * * * * *

WHAT MILL SUPERINTENDENT SAID.

So far the intervention of the "police" throughout Georgia and Alabama has been but nominal. In such mill villages as Pell City, Lindale, Alabama City, and West Huntsville, where the "corporation" owns the land, the buildings on it, the schools, the church, there the corporation practically makes the only laws applied, and applies them according to its fancy. The nature of this corporation is in no wise different from that of the feudal baron, and were it not for the love of freedom, which, because they are Americans, actuates even the most forlorn specimens of the cotton mill and causes them, in frequent outbursts of revolt, to be ever on the move, changing one slave master for another—were it not for this spirit of independence shown on the part of the laborers, the abuses perpetrated in the "corporation" villages would resemble nothing so much as the oppression of the people by the grand seigneurs of the Middle Ages; that same oppression which, weighing too long time and too heavily, brought about at last a vengeance so bloodthirsty and so appalling that the slothful patrons, quaking in prison, dubbed it the "Reign of Terror," and history gave it the more dignified appellation of "the great revolution."

Nothing could be clearer than the statement regarding child labor made to me by one of the mill agents in Alabama:

"If the parents swear falsely about the ages of their children, what are we to do? We are here, first of all, to make money."

And a more humane superintendent, who had been for years in the mills near Huntsville, put the case in this way:

"No one would want to have children, but you can't get the big help, and if you won't take the children the parents won't stay; and when they swear, what are you going to do? There should be compulsory school education. The law now is a dead letter."

That, I will say to the Senator from Georgia, is a statement of a mill owner himself, and the same statement has personally been made to me by a mill owner of Georgia concerning the recent law that was passed there.

THE EVIL NATIONAL.

Mrs. Van Vorst continues:

The question of child labor is not confined to any one section of the country; it is national; and in the South it is *native*, one may say, owing to the absence as yet of all foreign element in the laboring population.

It is *native*—that is, it is American—children that are being ruined in the South. Let the Senator from Georgia think of that.

Now I send to the Secretary's desk and ask to have read an affidavit.

The VICE-PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

Personally appeared before me this 22d day of January, 1907, Elbert Hubbard, to me known, and made affidavit as follows: I reside at East Aurora, N. Y., and am president and manager of the Roycrofters Corporation, said corporation employing about 500 workers. I have been a day laborer, a factory foreman, and for ten years was superintendent of the Larkin Soap Company, of Buffalo, N. Y. I am familiar with labor conditions in many States and countries. My article on child labor, which was printed in The Philistine Magazine for May, 1902, was written after personally visiting various cotton mills in six different States, and the facts therein stated are substantially true and correct, and still exist.

ELBERT HUBBARD.

Sworn to before me this 22d day of January, 1907.

[SEAL.] CHAS. S. WRIGHT,
Notary Public for and in Erie County, N. Y.

Mr. BEVERIDGE. That is dated last week. He says he has become familiar with labor conditions, and he wrote from personal investigation the article which I am going to read. Note that Mr. Hubbard says that what I shall now read is *true to-day*.

Mr. KEAN. It was written in 1902.

Mr. BEVERIDGE. In 1902, but there has been no change in the law down in South Carolina about which this article was written. Hubbard says it is all true *now*. I have not personally investigated, but men and women who have make oath to those statements. If the Senator thinks this evil is not greater than it was when this article was written I shall prove

by a large number of affidavits, which I am going to have read in a moment, that it is worse.

I want to read here—and while I am taking a great deal of time to present the evidence in this case, I can tell Senators that it is only the beginning of the evidence that is at my disposal, and that, if this debate proceeds much longer and if it is required, much more evidence and many more statements, *all susceptible of proof in court*, will be produced whenever it is desired.

CHILD LABOR IN SOUTH CAROLINA.

Says Mr. Hubbard, under oath, mind you:

The infant factory slaves of South Carolina can never develop into men and women. There are no mortality statistics; the mill owners baffle all attempts of the outside public to get at the facts, but my opinion is that in many mills death sets the little prisoner free inside of four years.

Beyond that he can not hope to live, and this opinion is derived from careful observation and interviews with several skilled and experienced physicians who practice in the vicinity of the mills.

Boys and girls from the age of *6 years* and upwards are employed. They usually work from *6 o'clock* in the morning until 7 at night. For four months of the year they go to work before daylight and they work until after dark.

At noon *I saw* them squat on the floor and devour their food, which consisted mostly of corn bread and bacon. These weazened pigmies munched in silence *and then toppled over in sleep* on the floor in all the abandon of babyhood. Very few wore shoes and stockings; dozens of little girls of, say, 7 years of age wore only one garment, a linsey-woolsey dress. When it came time to go to work the foreman marched through the groups, shaking the sleepers, shouting in their ears, lifting them to their feet, and in a few instances *kicking* the delinquents into wakefulness.

The long afternoon had begun—from a quarter to 1 until 7 o'clock they worked without respite or rest.

These toddlers *I saw*, for the most part, did but one thing—they watched the flying spindles on a frame 20 feet long and tied the broken threads.

That reminds me of what I read to the Senate—but not many Senators heard it, for somehow they do not seem to care to listen to this evidence—concerning the silk girl of the Pennsylvania mill, who watched the thread and its play until at night she could not sleep for seeing the threads that seemed to burn into her eyeballs.

Of course it is not so interesting, I suppose, to learn about the murder of these children as it is to hear an academic discussion about artificial "rights" of artificial things, or a "constitutional" discussion on the law. I will say to the Senator from Georgia that I will come to that in due season, but not until the facts have been laid before the country. So, again to the evidence. Mr. Hubbard goes on:

They could not sit at their tasks. Back and forward they paced, watching with inanimate, dull look the flying spindles. The roar of the machinery drowned every other sound—back and forth paced the baby toilers in their bare feet and mended the broken threads. Two, three, or four threads would break before they could control the 20 feet—the threads were always breaking.

The noise and the constant looking at the flying wheels reduce nervous sensation in a few months to the minimum. The child does not think; he ceases to suffer.

* * * * * * *

He does his work like an automaton; he is a part of the roaring machinery; memory is seared; physical vitality is at such low ebb that he ceases to suffer. Nature puts a short limit on torture by sending insensibility. If you suffer * * * it is a sure sign you are alive.

* * * * * * *

At a certain night school where several good women were putting forth efforts to mitigate the condition of these baby slaves, one of the teachers told me that they did not try to teach the children to read; they simply put forth an effort to arouse the spirit through pictures and telling stories. In this school *I saw* the sad spectacle of *half the class*—of a dozen or more—*sunk into sleep* that more resembled a stupor. The teacher was a fine, competent woman, but worn-out nature was too much for her. To teach you must make your appeal to life.

* * * * * * *

The reason that thought flags and stupor takes possession of the child who works at one task for *eleven hours a day* is through the fact that he does not express himself. We grow through expression, and expression, which is exercise, is necessary to life. The child in the mill never talks to anyone—even if the rules did not forbid it, the roar of the machinery would make it impossible. All orders are carried out in pantomime, emphasized by pokes, punches, pinches, shakes, and kicks. This wee slave loses all relationship with his fellows and the world about him.

Then he describes some of the other children he met, and here is an instance he gives. I want to say to the Senator from Georgia, about this evil being sporadic, that if I had given a large number of figures it would have been said there is no inhumanity in that. It is a good thing for children to work, we hear. "I worked," one Senator says, "and I have succeeded," etc.

So I have given specific instances, which I stated at the beginning of this speech were typical, because I wanted to place the finger on definite cases, at definite places, and just what a child 6 years old working twelve hours a day does, and what such labor means. That is the reason I have read these descriptions that shock the Senator and will shock the country.

Mr. Hubbard grows specific and particular. He says—and under oath, don't forget that:

I thought to lift one of the little toilers to ascertain his weight. Straightway through his 35 pounds of skin and bones there ran a tremor of fear, and he struggled forward to tie a broken thread. I attracted his attention by a touch and offered him a silver dime. He looked at me dumbly, from a face that might have belonged to a man of 60, so furrowed, tightly drawn, and full of pain it was.

That sounds precisely like the description that Durland gives, that Roberts gives, that Spargo gives, and that Mrs. Kelley gives, that Mrs. Van Vorst gives, that Miss Ashley gives. Can it be that all these men and women, as high grade as any in this country, have made a mistake, have told an untruth, *and then made affidavit to it?*

They say these are *typical* and not occasional. But of course all these people, who probably never saw one another, and who investigated independently, agreed in some mysterious way, some psychical way, to tell *the same lie*, and then, acting separately, have the audacity to swear to that lie. So Mr. Hubbard goes on:

He did not reach for the money. He did not know what it was. I tried to stroke his head and caress his cheek. My smile of friendship meant nothing to him. He shrank from my touch as though he expected punishment. A caress was unknown to this child, sympathy had never been his portion, and the love of a mother, who only a short time before held him in her arms, had all been forgotten in the whir of wheels and the awful silence of a din that knows no respite.

There were dozens of just such children in this particular mill.

It was not "isolated" in that instance, as the Senator from Georgia says. But, of course, all this is false—how could it be true of "our best people," who are the mill owners, according to the Senator from Georgia?

A physician who was with me said that they would all be dead probably in two years and their places filled with others. There were plenty more.

And a manufacturer in my own town voiced the spirit that animates most men who take a position like the head of this mill took. He said, "We are a prolific race. If they die there will be plenty more." But, Mr. President, think as you like, I say that is not the way we are going to conduct the American Republic from this time forward.

Mr. President, I intend to read no more upon this particular point, because I see it is already getting late.

Mr. TILLMAN. Will the Senator from Indiana allow me?

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

THE OUTRAGE A NATIONAL, NOT A SECTIONAL, ONE.

Mr. BEVERIDGE. Yes.

Mr. TILLMAN. I hope the Senator will not omit to put into the RECORD any well-authenticated statements from respectable and honest people that will bear upon this evil. Every thoughtful man recognizes it as a very great evil, and I will go as far as any man in trying to stamp it out in a legitimate and constitutional way. I hope the Senator will not omit, as I said a while ago, to get all well-authenticated facts into the RECORD, so that we may have ammunition with which to begin crusades at home to keep our legislatures from being influenced by northern millionaires who have gone down there and built mills and made industrial slaves out of white children instead of the chattel black slaves of the old days. I will join the Senator if he can show me how to do it here constitutionally.

Mr. GALLINGER. Mr. President, the observation the Senator from South Carolina [Mr. TILLMAN] has just made beyond a doubt is to a certain extent correct. There is northern money in South Carolina; and God help South Carolina if there was not northern money there. [Applause in the galleries.]

I want to add one further suggestion on that point.

Elbert Hubbard has been quoted in this discussion. I think his statement was not read in full. I sometimes read the fulminations of that very versatile man, and I recall very distinctly that in one of Elbert Hubbard's articles he stated that the parents in the South demanded that the children should work in the mills, and that they were infinitely more to blame than the men who furnished the capital to run the mills.

Mr. BEVERIDGE. There is no doubt about that.

Mr. GALLINGER. I think it is well for us to put that fact in the RECORD as well as the fact the Senator from South Carolina suggested.

Mr. TILLMAN. Mr. President——

Mr. BEVERIDGE. In just a moment. I want to say that my study of this question, which has been somewhat careful, confirms that; but the infamy of the murder of children is not to be excused on account of the infamy of parents who are willing to see them work. There is no question about that. The mill owner, however, ought not to satisfy his conscience by what he knows to be a perjured certificate.

Mr. TILLMAN. Will the Senator allow me?

Mr. BEVERIDGE. Yes; I will allow you.

Mr. TILLMAN. I know there are fathers and mothers in South Carolina as well as there are elsewhere who to my mind occupy the relation toward their children of cannibals, who force them to get up before day and go to work, while they, especially the father, sit around and loaf and live off their children's labor. But I do not see the force of the sneer of the Senator from New Hampshire in saying God help South Carolina if there was no northern money there. I will say to that Senator that rather than have northern money go there and exercise its lobbying influences through the instrumentalities of mill presidents and directors and others who go to the legislature and maneuver and manipulate and manage to keep proper child-labor laws from being enacted, I wish that he and all others who can keep northern money away would keep it away from the State.

Mr. BEVERIDGE. I am not going to take up any more time—and it is purely a question of time—in presenting testimony. I have not produced half that I have at hand, and certainly I presented enough in my half to show to the Senate and to the country the widespread nature of this evil.

Mr. TILLMAN. I ask the Senator not to omit anything that is well authenticated and honest. Publish it all in a document, so that we can have it to circulate among the good men and women of the South and help us to organize a crusade to stop this hellishness.

Mr. BEVERIDGE. The Senator said that before. I am going to publish it so that the American people can tell the American Congress to pass a law that will stop it now in South Carolina, Pennsylvania, and everywhere else, and I am going to ask the Senator to vote for such a law, if I can show him by the decisions of the Supreme Court of the United States that such a law would be constitutional.

Mr. TILLMAN. I shall listen to the Senator with great interest when he comes to the constitutional argument, but until he convinces me and other Senators that the power of Congress under the interstate-commerce clause reaches to a matter like this I think he will find great difficulty in passing such a law through this body, because there are others who, like myself, believe that Congress has nothing to do with the police regulations of the States.

Mr. BEVERIDGE. I will undertake to prove that to the Senator, unless he is in the condition of a man who "convinced against his will is of the same opinion still."

Mr. TILLMAN. I will listen.

Mr. BEVERIDGE. The Senator has expressed his opinion upon the constitutionality of this proposed law. Has the Senator read the decisions of the Supreme Court upon this question?

Mr. TILLMAN. No.

Mr. BEVERIDGE. And yet you have an opinion upon it, which it will be difficult for me to change, and I have read those decisions.

Mr. TILLMAN. But I have a very strong opinion, based on general common sense——

Mr. BEVERIDGE. Oh, well.

Mr. TILLMAN. That the Constitution reserves to the States the police power, and that the matter of dealing with the health and morals of the people is a police regulation and outside the jurisdiction of Congress. If the Senator thinks he can convince me that I am wrong, I will listen to his argument.

Mr. BEVERIDGE. I will attempt to do that when I come to it. I am not going to produce any more of these statements. I have here marked statements as to its effect upon health, as to the effect upon the morals, as to its effect upon degeneracy, and all that.

Mr. TILLMAN. Print it as a document, if you please.

Mr. BEVERIDGE. I am going to print it in my speech. I am much obliged to the Senator. I ask leave, Mr. President, to have printed as a part of my speech these extracts which I intended to read. It will simply save time. I have a vast deal of other testimony which I will produce on another phase of this subject.

The VICE-PRESIDENT. Without objection, permission is granted.

(The matter referred to appears in subsequent parts of Mr. BEVERIDGE'S remarks under appropriate headings.)

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. The Senator has spoken of conditions in various States, and he referred to the law in Tennessee as being an admirable law.

Mr. BEVERIDGE. Yes.

Mr. CARMACK. Has the Senator any information that that law is defective in its operation?

Mr. BEVERIDGE. No.

Mr. SPOONER. Allow me to say to the Senator from Tennessee that we can not hear him.

Mr. CARMACK. I want to state that so far as one State is concerned no Federal legislation is needed to bring about this reform.

Mr. BEVERIDGE. I will show the Senator that it is, and I will now tell him why.

Mr. CARMACK. Not so far as Tennessee is concerned.

Mr. BEVERIDGE. Yes; and I will show the Senator why when I come to the point, which will be in a moment, if he will let me proceed in orderly fashion with my argument. I want to call the Senator's attention to a fact, and he can think about it, so as to be able to interrupt me when I come to it. I want to say to the Senator and all Senators that I am only too delighted to give way at any time to any Senator for a question upon any point. I am as earnest about this matter, I think, as he can be, and if at any point I am wrong on a question of fact or a question of law I want to be interrupted. I want to say to the Senator, so that he can be thinking about it——

Mr. SPOONER. Does the Senator think he is any more earnest in the discussion of child labor than the remainder of his colleagues?

Mr. BEVERIDGE. Yes; I think a good deal more earnest.

Mr. SPOONER. I doubt the Senator's accuracy.

Mr. BEVERIDGE. I think I am—a good deal more. I have been earnest enough to spend nights and days and weeks and months in accumulating testimony. I have been earnest enough to appeal to the American people all over this country during the last campaign, from as far west as Nebraska to as far east as Maine. Has the Senator done as much?

Mr. TILLMAN. Will the Senator allow me a suggestion?

Mr. BEVERIDGE. I will.

Mr. TILLMAN. The Senator mistakes zeal for earnestness. That he is very zealous we undoubtedly know, but I deny that he is more earnest than I am and than all other Senators are.

Mr. BEVERIDGE. Will the Senator give the distinction between "zeal" and "earnestness?" Of course I can not yield to the Senator to indulge in any refinements as to the meaning of words. We both know that good and bad State laws make business inequality.

I want to say to the Senator from Tennessee what I was going to say when the Senator from Wisconsin interrupted me. The manufacturers of the Senator's own State have by the very righteousness of your State laws been put at a commercial disadvantage with the manufacturers of Georgia, Alabama, South and North Carolina, because the manufacturers of your State can not longer employ cheap labor. They can not longer make the blood of children into gold, and that can be done by every manufacturer in these other States.

That is the trouble with the whole thing. I shall submit in a moment, when I come to present that particular question, the affidavit of a man who testifies to having been on a train that was carrying a "shipment" of *children* from Tennessee, where they can not be worked, to the cotton mills of other Southern States, where they can be worked.

Mr. President, we have seen that the evil exists. We have seen that it is not "isolated," as the Senator from Georgia says. We have examined instances which are typical, which are not two, five, six, ten, a dozen, a hundred, but thousands. We have all this given to us by men and women who have made oath that they themselves personally investigated the facts.

EFFECT OF CHILD LABOR ON HEALTH.

Now, what does it mean? In the first place, Mr. President, I have read one or two statements, under oath, that it means the literal death of these children. I have here, and shall put into the RECORD, abundant statements that it means the physical ruin, the mental and moral ruin, of these children themselves who are now being worked.

The Senator from New Hampshire [Mr. GALLINGER] is an able physician, and he knows, as every other physician knows, the result of nervous exhaustion on a child put to work at from 6 or 8 years of age and kept at work for twelve hours a day amid the whirl of flying machinery or the terrors of coal breakers. If they live through it, they are permanently ruined in body and mind and soul. That is a mere physical fact.

I wish here at this point in my remarks to insert statements and affidavits of physicians; also statements of other investigators from whom I have already read on other phases of this evil.

DOCTOR FREIBERG'S OPINION.

First, I will present the views of Dr. Albert H. Freiberg, of Cincinnati, Ohio, whose name is familiar to the profession throughout the country. I here send to the Clerk's desk and ask to have read Dr. Freiberg's affidavit.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

CINCINNATI, *January 21, 1907.*

Hon. Senator ALBERT J. BEVERIDGE, *Washington, D. C.*

DEAR SIR: I wish to certify to you certain facts regarding a paper which I read before the recent meeting of the National Child Labor Committee in Cincinnati December 14, 1906. The paper was entitled "Some of the ultimate physical effects of premature toil." This paper embodies the result of my experience with children of the working classes during thirteen years of professional experience devoted particularly to the specialty of orthopedic surgery. This concerns itself with the deformities of the human body, both congenital and acquired. The statements made therein were made bona fide and are true to the best of my knowledge and belief.

During the period above referred to I have occupied a number of hospital positions in this city as orthopedic surgeon. At present I am orthopedic surgeon to the Cincinnati Hospital and to the Jewish Hospital of Cincinnati. I am also professor of orthopedic surgery in the University of Cincinnati (medical department) and am also a fellow of the American Orthopedic Association.

I therefore confirm under oath the belief that the statements made in the paper before mentioned are true and also the belief that they will correspond with the experience of others equally well qualified.

ALBERT H. FREIBERG.

Sworn to before me and subscribed in my presence this 21st day of January, 1907.

[SEAL.]

STARBUCK SMITH,
Notary Public, Hamilton County, Ohio.

Mr. BEVERIDGE. Now I present extracts from Doctor Freiberg's address on "Some of the ultimate physical effects of premature toil:"

It may be of interest to call attention to certain effects of a purely physical character which professional experience has for years been accustomed to look upon as the results of environment and occupation, and especially when considered with reference to the physical peculiarities of the child between the ages of 10 and 16 years. In doing this, effort will be made to avoid that which is purely technical, but also that which is in any way still a matter of supposition rather than observation, and therefore not generally accepted.

The rôle of the play hours in the development of the young child, his innate desire for physical activity and especially in the open, are well recognized by all laymen, and there are few indeed who will not acknowledge how important these are in promoting the formative processes which are at this time of life actively going on. The statement that this natural desire for movement and exercise can not be balked in the child 8 to 10 years of age, without damage to his physical progress, will meet with little protest, and for the present discussion this is of minor importance, since by far the greater number of children at work have at least passed their tenth year, and since no State, whose statutes do not ignore the question altogether, has ventured to place the limit for work below this.

When the child arrives at its twelfth year, however, it enters a period which, lasting until its seventeenth year as a rule, is characterized not only by those changes of disposition, of mind and soul, of body and appearance, embraced by the term "puberty," but a period also during which the body experiences its most rapid growth in length. As the bones grow longer, at this rapid rate, the muscles controlling these bones must grow longer with them. The muscles must, however, increase not only in length but in volume if their strength is to be proportionate to the ever-increasing demands made upon them. That this increase of volume, therefore, of strength, is dependent upon exercise, is common knowledge; that lack of use causes wasting and therefore weakening of muscle is no less so.

It is likewise well known that excessive exercise of certain muscles will result not in increase of strength but in degeneration and weakening, and that there is no surer way of inducing great fatigue than by using the same set of muscles for a long time without change, thus giving no opportunity for what is called rest, but what is really the replenishing of muscle material which has been consumed.

Let us now apply these statements in practice: To the case of a girl feeding material to a machine and sitting in one position for hours at a time, in the case of a boy handling small articles of manufacture, having, perhaps, nothing more to do than to remove them from one machine to another close by, or to perform, in the standing position, a set of movements with rapidity, but involving no test of strength whatever. Such work commonly develops quickness of eye and dexterity of fingers. It is certainly not looked upon as involving physical strain of any account.

Here lies the fallacy. Standing and sitting are looked upon as passive and involving no great muscular action. If this were true, why should we then tire so much more easily from standing than from walking, since this apparently requires much more use of the muscles? Why so much more easily from holding a weight continuously in one position than from moving it in various directions?

As a matter of fact, standing and sitting are possible only by active muscular work, and, when prolonged, have connected with them the disadvantage of permitting but little change of activity to other muscles. It can not be surprising to learn, therefore, that under these circumstances the tissues yield under unrelieved strain; that the leg and trunk muscles become excessively fatigued and thus compel the assumption, for relief, of faulty postures and attitudes which can at first be voluntarily departed from, but which finally take the place of the normal and leave the child more or less permanently deformed. Thus it is that, even before the advent of modern factory employment, certain deformities were recognized as being associated with certain occupations; the expression "baker's legs," for example, will be found in surgical treatises written many years ago.

The argument that the labor performed by the child is not hard is therefore only a specious one. Keeping a growing individual at an occupation, for ten hours daily, which involves the use of only a limited set of muscles, when he is at an age when nature prompts running and jumping, deprives him of the need for deep breathing, and therefore expansion of the chest, which these bring with them, and of the stimulus to the blood circulation which, although often harmful to the man past middle age, is of the greatest value to the developing organism.

However desirable it may be to preserve the normal form and symmetry of the human body, that it may be agreeable to look upon, there is underlying this a factor of greater import to humanity than mere personal vanity. This is the economic factor which takes into account the future of the individual, after the period of immaturity has passed and the child has become the citizen and has assumed the responsibilities of parentage.

Whatever can be shown to now permanently impair wage-earning capacity or to interfere with the performance of family duties, or indeed to shorten the tenure of life, will be acknowledged by all to be of prime importance. I shall not refer to such conditions as general weakness or diminished chest capacity and the tendency to acquire disease in consequence thereof, but rather to certain definite deformities which I have had frequent opportunity for observing, both in process of formation and in their final results.

For the present the various occupations of toiling children may be grouped according as the work is done in standing or sitting position. In general—and there are, of course, many exceptions—boy's work requires standing and girl's work sitting. It may also be said, in the same general way, that the work which the boy does standing is an apprenticeship for work which the man also does, as a journeyman, in the standing position.

This is correspondingly true of girl's work. Standing occupations naturally involve the feet and legs in greatest strain, and more especially the feet. In consequence we see developing, during the adolescent years, that condition known as "weak and flat foot." This frequently occurs in the adult also from causes of similar nature, but only too frequently the result of conditions and weakening which must be attributed to the period of active growth. The deformity acquired in adult years, though it may be disabling and painful in high degree, but rarely assumes the severe form so frequently seen in the later period of adolescence as a sad testimony of the child's experience.

Commonly, the foot loses its strength and shape gradually; so that at this time but little notice is taken of it. Later, when the child has become the father and the necessity for continuous employment is apparent, the feet only too frequently become so painful that long abstention from work is imperative, and it happens not rarely that an entire change of employment can not be avoided. Thus are lost the skill and aptitude acquired during the period of prematurity, for while medical science can do much for these unfortunates, they are often debarred from continuing in trades requiring constant standing.

Frequently upon coming under medical care the condition is such that nothing short of a long stay in hospital will prove availing, and this means loss of income if not loss of independence for a greater or less period. I doubt whether it is generally realized how frequently such conditions are met as those to which I have just referred. While originally uttered in a somewhat different sense, the saying seems here most appropriate that "the boy without play is the father without a job."

When the one weekly holiday comes the accumulated fatigue of the week's standing is apt to be so great that only the exceptionally robust have the desire for outdoor exercise left in them. The day is therefore only too often used for repose of the body, which, while furnishing relief to the excessively fatigued muscles, does nothing for the remainder of the organism, which would otherwise invite active movement in the open air.

Turning now to the girl in the sitting occupation, I would attract your attention to the frequent occurrence of curvature of the spine, spoken of as "lateral curvature." This deformity is often seen in school children and even in those leading luxurious lives. It betokens a weakness of fiber and a need for physical culture, which is, however, to be controlled by proper treatment. When this is within reach, the progress of the deformity is checked so that it does not become a menace to health, and it is objectionable chiefly as constituting an æsthetic defect which the skillful dresmaker is usually able to conceal.

Were this, however, the extent of the damage done to the organism by lateral curvature, I should have nothing to say of it in this place. It becomes of importance in this connection, however, because it is so frequently seen in girls who have been engaged in sitting occupations during the developmental period and because in them it assumes not only the rôle of a deformity of most severe type, not simply a most unfortunate disfigurement, but also because it now constitutes a very serious menace to health and the attainment of longevity of even average degree.

I shall not discuss the deformity in detail except to say that when assuming the severe grades under discussion it effects reach far beyond the spine itself, which bends not simply to one side or the other, but is always markedly twisted on its vertical axis also. In this twist the chest participates fully, so that not only is its power of expansion greatly interfered with, but its capacity is reduced and much crowding and displacement of the vital organs contained within can be determined.

Small wonder, then, that such severe degree of lateral curvature adds greatly to the likelihood of developing pulmonary consumption, and that the heart can not be thus pushed aside with impunity. It has been ascertained that, for these reasons, the duration of life of individuals with severe lateral curvature is far below the average. The remoter effect of the deformity upon the pelvis of the girl I need only mention to the extent of saying that here, too, a distortion and diminution of normal capacity frequently results, so that this has always been recognized by medical men as of potentially serious influence upon the maternal function.

In conclusion, it is to be said that these deformities are by no means confined exclusively to the one sex or the other; neither is it to be interpreted that they occur in every child who works, or even in the greater number. It is asserted, however, that these deformities in the severe forms before referred to are particularly frequent among toiling children or those who have toiled as children.

That the unfavorable influences of premature toil are only too often augmented by unfortunate home influences, by dwellings that are unfit, by insufficient and improper food, does not alter the case. I have aimed to speak of these deformities in particular because of their serious nature and because I have had abundant opportunity for observing them. On the other hand, it is not to be overlooked that these are by no means the only, or even the most common, evidences of physical deterioration to be observed among working children.

SPARGO ON RUIN OF HEALTH.

As to the effect of this work on health, here is the testimony, all supported by the affidavits already given, by Spargo, in his Bitter Cry of the Children, on pages 175–178:

It is a sorry but indisputable fact that where children are employed the *most unhealthful work is generally given them.* In the spinning and carding rooms of cotton and woolen mills, where large upnmbers of children are employed, clouds of lint dust fill the lungs and menace the health.

The children have often a distressing cough, caused by the irritation of the throat, and many are hoarse from the same cause.

In bottle factories and other branches of glass manufacture the atmosphere is constantly charged with microscopic particles of glass.

In the woodworking industries, such as the manufacture of cheap furniture and wooden boxes and packing cases, the air is laden with fine sawdust.

Children employed in soap and soap-powder factories work, many of them, in clouds of alkaline dust, which inflames the eyelids and nostrils.

Boys employed in filling boxes of soap powder work all day long *with handkerchiefs tied over their mouths.*

In the coal mines the breaker boys breathe air that is heavy and thick with particles of coal, and their *lungs become black* in consequence.

In the manufacture of felt hats little girls are often employed at the machines which tear the fur from the skins of rabbits and other animals. Recently *I stood and watched* a young girl working at such a machine. She wore a *newspaper pinned over her head* and a *handkerchief tied over her mouth.*

She was white with dust from head to feet, and when she stooped to pick anything from the floor the dust would fall from her paper head-covering in little heaps.

About 7 feet from the mouth of the machine was a window through which poured thick volumes of dust as it was belched out from the machine. I placed a sheet of paper on the inner sill of the window and in *twenty minutes* it was covered with a layer of fine dust *half an inch deep.*

Yet that girl works midway between the window and the machine, in the very center of the volume of dust, *sixty hours a week.*

These are a few of the occupations in which the dangers arise from the forced inhalation of dust.

In some occupations, such as silk winding, flax spinning, and various processes in the manufacture of felt hats, it is necessary, or believed to be necessary, to keep the atmosphere quite moist. The result of working in a close, heated factory, where the air is artificially moistened, in summer time can be better imagined than described. So long as enough girls can be kept working, *and only a few of them faint,* the mills are kept going; but *when faintings are so many and so frequent* that it does not pay to keep going the mills are closed.

The children who work in the dye rooms and print shops of textile factories and the color rooms of factories where the materials for making artificial flowers are manufactured are subject to contact with poisonous dyes, and the results are often terrible. Very frequently they are dyed in parts of their bodies as literally as the fabrics are dyed.

One little fellow, who was employed in a Pennsylvania carpet factory, opened his shirt one day and showed me his *chest and stomach dyed a deep, rich crimson.* I mentioned the incident to a local physician and was told that such cases were *common.*

"They are simply *saturated with the dye,*" he said. "The results are extremely severe, though very often slow and for a long time almost imperceptible. If they should cut or scratch themselves where they are so thoroughly dyed, it might mean death."

In Yonkers, N. Y., are some of the largest carpet factories in the United States, and many children are employed in them. Some of the smallest children are employed in the "drum room," or print shop, where the yarns are "printed" or dyed.

Small boys, mostly Slavs and Hungarians, push the trucks containing boxes of liquid dye from place to place, and get it all over their clothing.

They can be seen coming out of the mills at night *literally soaked to the skin* with dyes of various colors. In the winter time, after a fall of snow, it is *possible to track them to their homes* not only by their colored footprints, *but by the drippings from their clothing.* The snow *becomes dotted with red, blue, and green,* as though some one had sprinkled the colors for the sake of the variegated effect.

The effects of the employment of young boys in glass factories, especially by night, are injurious from every possible point of view. The constant facing of the glare of the furnaces and the red-hot bottles causes serious injury to the sight; minor accidents from burning are common.

* * * * * * *

Even more serious than the accidents are those physical disorders induced by the conditions of employment. Boys who work at night do not as a rule get sufficient or satisfactory rest by day. Very often they can not sleep because of the noises made by younger children in and around the house; more often, perhaps, they prefer to play rather than to sleep. Indeed, most boys seem to prefer night work, for the reason that it gives them the chance to play during the daytime.

Then you will find further on that when children like these reach the age of 17 and 18 they are utterly exhausted and almost worthless.

Even where the mothers are careful and solicitous, they find it practically impossible to control boys who are wage-earners and feel themselves to be independent. This lack of proper rest, added to the heat and strain of their work, produces nervous dyspepsia.

From working in drafty sheds, where they are often, as one boy said to me in Zanesville, Ohio, "burning on the side against the furnace and pretty near freezing on the other."

They are frequently subject to rheumatism. Going from the heated factories to their homes, often a mile or so distant, perspiring and improperly clad, with their vitality at its lowest ebb, they fall ready victims to pneumonia and to its heir, the great white plague.

In almost every instance when I have asked local physicians for their experience, they have named these as the commonest physical results. Of the fearful moral consequences there can be no question.

The glass blowers themselves realize this, and even more than the physical deterioration, it prevents them from taking their *own* children into the glasshouses. One practically never finds the son of a glass blower employed as a "snapper-up" or "carrying-in boy" unless the father is dead or incapacitated by reason of sickness.

"I'd sooner see my boy dead than working here. You might as well give a boy to the devil at once as send him to a glass factory," said one blower to me in Glassboro, N. J.; and that is the spirit in which most of the men regard the matter.

DOCTOR ROBERTS ON CHILD LABOR AND HEALTH.

As to the effect on health, Dr. Peter Roberts, in his article on "Child labor in eastern Pennsylvania" in the Outlook of December 17, 1904, volume 78 of Outlook, September–December, 1904, on page 984, says:

Can anyone say what thirteen or fourteen hours a day means to these young boys and girls? In my investigation I saw two or three of the wrecks. One young girl in her seventeenth year had been earning $9 and $10 a week, working from *seventy* to *seventy-five* hours. She had done it for three years, and is now broken in health and spirits.

Another girl, 18 years of age, having worked for six years in a silk mill, said: "I used to be stout and strong, but now I'm poor enough."

Doctor Weaver, of Easton, who has for the last ten years practiced among the operatives of a hosiery mill which employs some 1,200 hands, said: "Girls when they have been in that mill from 12 years of age to 20 are not much good after."

Upon girls of tender years the blight of factory life falls heaviest. The boy may be stunted or he may grow disproportionately, but the effect upon the more delicate organism of the female is disastrous and cruel.

Sixty hours a week is more than the average child of tender years can stand, but add another ten hours' overtime and the pressure works disastrously.

Dr. Samuel Davies, president of the State board of health of Pennsylvania, said: "Factory girls soon wilt, and they ill discharge the functions of maternity." Is it surprising?

MISS ASHBY ON CHILD RUIN.

Miss Irene M. Ashby, in her article on "Child labor in southern cotton mills," published in the World's Work, volume 2, pages 1292–1293, testifies to the result of this labor on the health of children in the following words:

The flying lint often brings on throat and lung trouble, while pneumonia resulting from the sudden change from the hot factory to the early morning and the late evening mists is not uncommon. These conditions tell far more frequently and fatally on the unformed constitutions of children than on the grown workers.

In one factory I found a little girl aged *10,* in the "drawing-in" room, where every individual thread of the warp is drawn through the "harness" of the weaving loom. She could earn as much sometimes as 75 cents a day, though, alas, at the expense of the beautiful blue eyes she turned up to me as I spoke to her.

Her mother told me that she brought her youngest daughter, aged 7, into the mill with her, and although urged to allow her to work, there being many as small in the mill, she would not allow it. Yet without doing any work the child had lost in weight in a year through confinement in the mill atmosphere. Over and over again I was told that the mill was a "playground."

"If anyone tells you that," said a superintendent to me with concentrated scorn, "he either doesn't know what he's talking about or he's telling a downright lie. I've been in the mill since I was 8 years old myself, and I know. We're *no charity institution.*"

"What do you do when you are very tired?" I asked a little girl, putting my mouth close to her ear to make myself heard. "I cry," she said, shyly. She would make no reply when I asked her what happened then, but another child who had literally poked her head into the conversation, put in tersely, "The boss tells her to go on with her work."

DOCTOR KOBER'S VIEWS.

Here are extracts from the address of Doctor Kober, of this city, on the physical and physiological effects of child labor.

Doctor Kober says:

There is one phase of the question which strongly appeals to me, and that is the effect of premature and involuntary labor upon the health and the physical welfare of the child.

Physiologists have long since demonstrated that the muscles of the average child attain only at the age of 13 a certain amount of strength and capacity for work. Up to this time the muscular fibers contain a large per cent of water, and in consequence are very tender and immature. As a consequence of this imperfect muscular development it is not surprising that we should find such a large percentage of children engaged in workshops, factories, or even at the writing desk or the merchant counter develop lateral curvature of the spine and other muscular deformities, not to mention their general weakness and predisposition to rickets, tuberculosis, and other pulmonary diseases. All of the bad effects are, of course, very much intensified by unsanitary environments, especially when these occupations are attended by the inhalation of dust, impure air, and injurious gases.

DOCTOR HARVEY'S SWORN STATEMENT.

Dr. A. K. P. Harvey, of Washington, who was for years coroner and county physician in New Hampshire and Maine, makes oath as follows concerning his experience as to child labor upon the health:

UNITED STATES OF AMERICA, *District of Columbia:*

Personally appeared before, a notary public, A. K. P. Harvey, M. D., who on oath says:

That he was for several years coroner and county physician of Strafford County, N. H., also practicing and city physician of Lewiston, Me., and that he had large opportunities for the observation of children employed in the cotton mills. That these children are especially subject to throat and lung diseases, prominent among which are chronic bronchitis, tuberculosis, and catarrh of the upper air passages, and that inflammation of the eyes is common.

That one or more pathetic features of child labor in these mills is the frequent occurrence of accidents, resulting in the maiming and crippling of the little victims. That by midday these children are tired, and as the day goes by they become more and more fatigued, and hence careless of the dangers by which they are surrounded.

That he has personally treated scores, if not hundreds, of these cases, the injury ranging in severity from the simple crushing of a finger to instant death. To particularize, these accidents consist largely of fingers and hands crushed in cogwheels and other gearing.

That it is not infrequent that an arm is torn off in a machine called the "picker."

That on a visit to one of the largest mills in New Hampshire, in the summer of 1906, in calling the attention of a friend to the prevailing conditions, and standing near the main exit, were noted many children coming out who to all appearances were under 14 years of age, some even appearing as young as 12.

A. K. P. HARVEY, M. D.

Sworn and subscribed to this 23d day of January, 1907.

[SEAL.] HERBERT A. GILL,
Notary Public, District of Columbia.

OTHER EVIDENCE ON HEALTH AND CHILD SLAVERY.

Mr. Durland says this about the effect of child labor on health:

Consumption, bronchial affections, anæmia are all common ailments among the children of the mills. Their vitality is sapped. They enter the period of womanhood frail and worn out. Yet these are the women expected to bear sons who will carry on great industries that the State may prosper.

Mrs. Van Vorst, in the Philadelphia Saturday Evening Post of May 5, 1906, says:

No doubt one of our children, were he made to work twelve hours a day, would either rise up in juvenile revolt or be carried to an early grave. But to break the spirit that is bowed and plied by accumulated generations of want and need it takes some time, even for the subtlety of the cotton-mill owner. Yet he accomplishes it. There is a wearing out among the mill hands, a gradual breaking down, an inward unhappiness, a sensibility different in kind from what ours would be under similar circumstances, because of the opposite æsthetic chord to which their tastes have been attuned, but no less than ours in degree, and keen enough to make of their lives and of their children's lives one long, slow martyrdom.

Mr. Hubbard says—and don't forget that all this is under oath:

Pneumonia carries off most of them. Their systems are ripe for disease, and when it comes there is no rebound, no response. Medicine simply does not act.

But, Mr. President, perhaps in the interest of the dividends which these mill owners earn—and I shall present a book here written by one of them, showing that the poorest cotton mill in the South does not earn less than 10 and from that up to 30 per cent, and even higher—we might waive consideration of the ruin of the children themselves, but we are confronted with a far graver consequence, and that consequence is this: It is the process of the deterioration of the race. It is the production of a degenerate class in this Republic.

CHILD LABOR AND RACE DETERIORATION.

The lowest estimate now is that we are pouring into American citizenship every year at least 200,000 London "Hooligans," boys and girls, who are broken in body and stunted in mind and soul, and who *know* it, and who are living engines of hatred toward society—and I do not blame them—and who become the parents of still other degenerates. We all hear talk about the dangers of a certain "lower class." Had we not better do something to stop the production of that "lower class," that "dangerous class?" Anyhow I shall try to stop it.

Mr. President, what that means in national efficiency is before us. I am not indulging in the least in rhetoric any more on this point than I did before when I was giving specifications of the evil.

Great Britain is an example of precisely a condition such as I have detailed that has shocked the world. The world did not know about it. England herself did not know about it until the United Kingdom had to meet 28,000 Boer farmers in South Africa.

GREAT BRITAIN'S DEGENERACY.

Now, then, I call it to the minds of Senators. You will remember the newspaper accounts of the almost impossibility of getting soldiers for the English service. You will remember the descriptions of how small and feeble they were. You will remember the tales—true tales—of their being swept off like flies by enteric fever. It was the poorest army that that first of powers ever sent to the battlefield.

This began to come out. First there was a report on the war—just a report on the war—and in this commanding officers, in spite of their desire to make their troops appear as well as possible, which most of them tried to do, were truthful enough to say things like this. This was Professor Ogston. He saw the men from the hospital point of view. He was in charge of the hospital. I read from the official report of the war made to the British Government:

Professor Ogston, who saw the men from the hospital point of view, said that "some of the regiments, especially some of the militia regiments, were physically very inferior and more liable to disease—boys and weeds. In one expedition where a regiment was expected to take part in an advance, over 300 of them—380, I think—were sent for examination as to their physical fitness, and 212 of that part of the regiment so sent for examination were rejected as unfit to sustain the toils of a march and as being liable to disease."

Of the men recruited and attempted to be recruited an average of over 30 per cent were rejected for physical inferiority.

The director-general says that from 40 to 60 per cent of all the soldiers that England recruited for South Africa in the Boer war were unfit for service. This was not the worst. I will read the "Sessional Papers" in a moment to show the causes of rejection. Over 30 per cent of all attempted to be recruited were rejected, although the standard was purposely lowered by the British authorities.

That was not the worst. Of those accepted 2 per cent were almost immediately found unfit for military duty.

And even that was not the worst; because when they were finally in the field, it was found that large numbers of them, when it came to going to the firing line, were incapable of the march; and I just read you the statement from the Royal Report on the war itself, which led up to the investigation from which I am going to read to you in a moment, the statement of Professor Ogston that out of 380, 212 were unable to march to the front.

And still that was not the worst. Of those who actually got to the firing line, fighting with that ancient British pluck never exceeded in the history of this world, thousands were swept off like flies with enteric fever.

All this finally came out. Everybody knew about these rejections. Then there appeared the comments of the British officers, such as Professor Ogston and Lieut. Gen. Sir Archibald Hunter, who said:

But if you get a town-bred population, as most of ours are that enlist now, you have to take them out into the country and show them what is what, and try and teach them what is on the other side of a hill.

Then he said again, speaking of recruiting in Scotland:

Most of the recruits are at present artisans, factory hands, miners, casual laborers, and the proportion drawn from the agricultural class is very small.

ENORMOUS PERCENTAGE REJECTIONS IN BOER WAR.

It would not have done any good to have tried to get them from the agricultural class, as I shall show in a moment.

Then here are the Sessional Papers of the British Government, showing these rejections which got onto the conscience of the nation, and which startled British statesmen as nothing has startled them in a hundred years. Number medically inspected in 1897, 59,986; total rejections, 22,813; 1898, 66,501 medically inspected; number rejected, 23,287.

I want to pause right here and say that even that does not represent the number of rejections. These were the rejections only of those who were taken by the recruiting officers and medically inspected. But the statement is made in these Sessional Papers and reports that vast numbers of men were rejected offhand *by the recruiting officers* and *never were medically inspected at all.*

But of those who were "passed" by the recruiting officers and afterwards medically inspected, an average of more than 33 per cent were rejected. In 1899, 68,059 were medically inspected, and 23,393 rejected. In 1900, 84,402 were medically inspected, and 23,105 were rejected. In 1901 there were 76,750 medically inspected, and 22,286 were rejected. I will not take further time in reading these things that led up to the investigation of the physical deterioration of the British people, because I want to get to that itself.

The statement is here made—I read from the British Sessional Papers—

When examining these totals it must be borne in mind that they do not represent anything like the total number of the rejections of candidates for enlistment into the army. A large number of men are rejected *by the recruiters themselves* for the causes above mentioned, and in consequence are never medically inspected, and do not appear in any returns.

The cause of these rejections were undersize, narrow chest, bad teeth, bad vision, flat feet, and other causes that showed physical and racial deterioration.

Now, then, when this was brought home to the attention of the British nation and of the world, as I said a moment ago, it startled the British statesmen as nothing had startled them for a hundred years, because they were suddenly face to face with the fact that the United Kingdom, with over 40,000,000 people, found herself hard put to it to raise 320,000 British soldiers to meet 28,000 Boer farmers upon the field of battle.

They were suddenly face to face with the fact that, upon land, England has not the men to meet any first-class nation in the world.

They were suddenly confronted with the fact that while they had become the mistress of the seas in commerce, they had sunk into a low place in manhood and stamina, which is the foundation of all commerce and of all greatness of every kind.

REPORT OF THE ROYAL COMMISSION.

And so a commission was appointed to examine into and report upon the causes of this physical deterioration of the British people, and here it is in my hand [exhibiting]. It is very voluminous. I intended to read at some length from it, but I will not, because time is so short. I will state rather the conclusions after I give one or two items. Doctor Neston, of Newcastle, said:

There is an undoubted falling off in the physical condition of the infants vaccinated and young persons presented for employment during the last quarter of a century, and this is due to the fact that they are the offspring of town-bred parents, who produce sui generis.

Mr. Harry Wilson, inspector of factories, said:

Personally the poorest specimens of humanity I have ever seen, both men and women, are working in the preparing and spinning departments of certain Dundee jute mills.

This is the report I am reading from:

Another factor in the alleged deterioration of the people, connected like the last with their aggregation in towns, is said to be the withdrawal from the rural districts of the most capable of the population, leaving the inferior types to supply their place and continue the stock, the evil being often aggravated, in the opinion of some, by the drifting into the country of the debilitated town population, which is crowded out by the inrush of more vigorous elements.

Mr. President, in order to save time I shall ask leave to put into the RECORD extracts from this report.

CHILD LABOR CAUSE OF BRITISH DETERIORATION.

It was found that a general physical deterioration of the people, which had been revealed first by the lamentable lack of ability to meet the Boers in the field, did exist. It was found that its immediate and present causes were poverty, overcrowding, living in towns, insufficient nourishment, and inherited tendencies. But anyone who has studied the question knows what the cause of that is.

It began in England one hundred and fifty years ago and bore its fruit later in the Boer war. It began in England with the invention of the spinning machines. It began one hundred and fifty years ago, and precisely the same process that is going on in Pennsylvania, in New York, in South Carolina, in Georgia, in North Carolina, in West Virginia, in New Jersey, and other States of the American Republic to-day in 1907 were going on in England a hundred and fifty years ago.

CHILD LABOR IN AMERICA IN 1907 EXACT REPRODUCTION OF CHILD LABOR IN ENGLAND IN 1800.

As soon as the factories started up in England in the eighteenth century the mill owners found themselves in precisely the condition that the southern mill owners find their factories to-day. They *used precisely the same arguments to get the children into the mills.* They soon found that the nimble fingers of the children could do the work of attending the machines better than those of old people. Also they soon found that children were more "tractable," more easily "managed," and they found, above all other things, that *they were cheaper.*

And so, first—all Senators are familiar with that, of course—the orphanages were emptied into the mills, and then the country was invaded by the mill owners, just as to-day in the Southern States the hill people are being drawn from their farms to the factories.

The strongest people from the country were induced to go to the factory towns. They left the inferior country people on the farms to run the farms and raise up the future yeomanry of the Empire.

And these stronger young men and young women coming into the factories soon degenerated in health, and they produced children who were weaker still than they were, and so the process went on from bad to worse until seventy-five years later, nearly all the population of England in the meantime having become an urban population, a mill-working population, the great irresistible causes of degeneration had done their work, and when the Boer war came England was hard put to it to raise from among 40,000,000 people 320,000 able soldiers to meet the Boers on the field of battle.

Now, Mr. President, just to show how absolutely similar were the conditions in England one hundred years ago to those we have here; to show that exactly the same process went on there both as to legislation and physical deterioration that is going on here; to show that exactly the same arguments were used by manufacturers and those who stood for them in England one hundred years ago that are being used to-day *almost in exact words*, I want to quote very briefly from this History of Factory Legislation in England, which is perhaps the most complete work of its kind that has ever been written. I have just read you some horrible details about what is existing in this country now. Here is a statement as to the working hours of children, before 1800, in England:

In the framework knitting trade hours were said to be from 5 or 6 a. m. till 10 at night, and large numbers of women and children were thus employed.

Then in 1796 Doctor Percival, of Manchester, laid before the board of health of that town some considerations.

It appears that the children and others who work in the large cotton factories are peculiarly disposed to be affected by the contagion of fever, and that when such infection is received it is rapidly propagated, etc.

Then he goes on to say:

The large factories are generally injurious to the constitution of those employed in them.

Then he says:

The untimely labor of the night and the protracted labor of the day, with respect to children, not only tends to diminish future expectations as to the general sum of life and industry by impairing the strength and destroying the vital stamina of the rising generation, but it too often gives encouragement to idleness, extravagance, and profligacy in the parents, who, contrary to the order of nature, subsist by the oppression of their offspring.

ENGLAND'S REFORMERS BEGAN A CENTURY AGO.

There gradually grew up in England a hundred years ago an agitation such as there is growing up in America now. It was resisted. It was resisted by the factory owners just exactly as the agitation is now being resisted by the factory owners. It is impossible to go into it at this late hour. Sir Robert Peel began the reform of it in 1802. He did not succeed very well; but finally he got the Peel bill passed.

Then it was succeeded by the agitation which resulted in the Sadler bill, which limited the hours of work to ten hours. A very singular thing occurred, and I can not help referring to it now, we are so precisely paralleling the experience of England. The manufacturers resisted the Sadler bill in every way they could. Finally they said: "This bill is being passed upon '*vague*' representations; it is being passed at the clamor of working people; let us '*investigate*' it; let the whole subject be '*investigated.*'"

Of course they knew it would take a year or two in which to "investigate," and in the meantime their enormous profits would go on. Many great fortunes in England to-day are founded upon that system. No wonder England, having thus sowed the wind, is now reaping the whirlwind.

So they asked that the thing might be "investigated," and they carried their point. But so terrible were the conditions, and the report of that investigation committee had so terribly alarmed them, that they aligned themselves for the purpose of delaying and, if possible, defeating action on that report; for the report showed conditions even worse than they were represented, just as the report of the "investigation" in this crime here in America and in the twentieth century will show the Nation, if it is honest.

JOHN ASHLEY, EARL OF SHAFTESBURY.

Finally the cause of those English children was taken up by a man whom everybody who reads the English language and knows anything about English history or human industrialism knows and loves and applauds—John Ashley, Earl of Shaftesbury. He gave his whole life to it. He gave up his official place; society turned against him; his rich associates reviled him. He was of the noblest nobility of England itself, but they all deserted him. "Shaftesbury," said England's "better classes"—England's "best people," to repeat the favorite phrase of the Senator from Georgia—"Shaftesbury," said they, "has joined the 'lower class.'"

Nevertheless he gave his life to the curing of this infamy, and to-day John Ashley, Earl of Shaftesbury, is one of the proudest names in English history. When the name of Marlborough is forgotten and when the name of Wellington shall have become a memory the name of John Ashley, Earl of Shaftesbury, will glow, with ever-increasing radiance, in the permanent heaven of mankind's regard.

They did not succeed in stopping that evil for seventy-five years—these English "reformers," these English sympathizers with the despised "common people," these English lovers of humanity—and it was not until perhaps twenty-five years ago that the evil was entirely ended. The methods of resisting the reforms that are put forward here to-day were put forward there a hundred years ago, and down until a generation ago. Close your eyes, listen to the arguments against ending this practice that you will shortly hear here in the United States Senate in 1907, and you can imagine yourself in the British Parliament eighty years ago.

Does any man think that England pursued a wise policy? I hold in my hand here, which I will read later on this afternoon, the original notes of the statements of some of the mill owners in the Senator's State of North Carolina, where they resisted the passage of a law for the compulsory education of children and improvements over North Carolina's wretched child-labor bill, all of which the manufacturers of North Carolina defeated.

One of them goes on to say: "We want more mills. It is all right to work the children. They say that England is building more mills, and she has become the money center of the world and the commercial mistress of the seas." A manufacturer said substantially that in a statement which I will read, when he was resisting and defeating a child-labor bill in North Carolina.

ENGLAND'S HIGH PRICE FOR BECOMING "THE MONEY CENTER OF THE WORLD."

Well, Mr. President, that is what England has done. She has become "the money center of the world," and she has become "the commercial mistress of the seas." But does anybody think that she has not paid too high a price? Does anybody think that the proud eminence upon which she stands in

commerce and trade has not been bought too dearly when it has been bought at the sacrifice of men and women?

The Boer war can teach us a lesson as well as it taught England a lesson. England can not meet *on land* a single first-class power to-day. That is the price she paid for becoming "the commercial mistress of the seas." Gone is that splendid yeomanry which under the Iron Duke overwhelmed the veterans of Austerlitz and bowed to the dust the forehead of the greatest captain of the world. Gone is that splendid stock that produced a Shakespeare and a Milton, and a Thackeray and a Dickens; that produced an Arkwright; that produced the great statesmen of the past. There is not to-day a single English soldier, statesman, or writer who comes even up to the arms of the great Englishmen of yesterday. The English people paid too high a price when they gave their children to make the English mill owners the greatest capitalists in the world.

I respect capital as much as anyone. I respect property as much as any man. I like to see wealth grow and expand, both individually and nationally, but I tell you we are thinking too much about money *as money*. We are thinking too much about prosperity *as prosperity*. The chief use of prosperity is not to put food in your stomachs or clothes on your backs or a roof over your heads. That is an important use; but the great use of prosperity is that it gives you time and strength to think on righteousness and write conscience into laws without ruining the people.

Now, Mr. President, there is the consequence not only of the labor of children to-day, not only the ruin of their lives, but the certain deterioration and the establishment of an ever-increasing degenerate class in America.

Mr. President, it has got to stop. I infer from what I have heard here in the interruptions that everybody agrees it has got to stop. As a matter of fact, I have never seen any human reform proposed in this Senate that everybody was not "for" it, but most were against any effective *means* of accomplishing it. We are confronted now with a proposition. I have heard it whispered about the corridors, and so have other Senators, that we must not go "too fast;" that we are bound to have an "investigation."

Oh, no; let us not go "too fast." The evidence is before the Senate of the slow murder of these children, not by tens or hundreds, but by the thousands. But let us not "hasten" to their relief "too fast." Let us "investigate," just as the manufacturers of England asked when they were confronted with the same kind of a reform. "Why not investigate?" said they.

Now, Mr. President, it has got to be stopped and *stopped now*. We all agree upon that—anyhow, everybody says that he agrees it must be stopped; "only," says some, "let us be careful about the Constitution." The Constitution, it appears, is a very mysterious instrument. But never mind; child labor has got to be stopped. How? The States can not stop it. At the beginning of the discussion of the State part of this matter I wish the Senator from South Carolina and the other Senators who apparently intend to oppose this bill to end the evil in their sections of the country, as well as in the North, were here.

"STATES RIGHTS" NOT INVOLVED.

I hear that "States rights" is to be used as the excuse for killing this bill. I say there are no "States rights" involved in this bill. I see the junior Senator from South Carolina [Mr. LATIMER] making a remark to another Senator upon that statement. If the Senator thinks there are some "States rights" in this bill which prohibits the transportation in interstate commerce of the products of child labor, why did not the Senator think there were some "States rights" in his bill for prohibiting the transportation in interstate commerce of the boll weevil and the gypsy moth?

Mr. President, something has been said more or less all along about "States rights." But suppose States rights were involved a little bit. Last year we passed the quarantine law. For a hundred years the subject of quarantine has been universally recognized to be exclusively within the province of the States. The effect of the law last year was to make it a national quarantine system. There was not a bit of resistance to it. The people were not willing to quibble; the people were not willing to make a strained construction of the Constitution when yellow fever was knocking at the gates. There was no resistance in the Senate. There was some resistance in the House, made purely upon the "States rights" proposition that it was the province of the State, and that the National Government was taking the right to quarantine from the States. I was very greatly struck by a speech made in the House——

Mr. BACON rose.

Mr. BEVERIDGE. I will yield to the Senator in a moment.

I ask to print as a part of my remarks a brief, one-minute speech of Representative DAVEY, of Louisiana, who said he could not see, as he had seen, the ravages of yellow fever down there and "quibble about the Constitution."

The VICE-PRESIDENT. In the absence of objection, the extract referred to will be printed in the RECORD.

The extract referred to is as follows:

Mr. DAVEY of Louisiana. Mr. Speaker, it is not my desire or my intention to delay a vote on this motion. I desire to assure the House that this is one of the most important subjects now before Congress in which our people of the State of Louisiana are interested. If gentlemen who have taken part in this debate had gone through a yellow-fever epidemic, as I have, they would not stand here upon technicalities. I have taken part in every yellow-fever epidemic since my birth during the great epidemic of 1853. I have seen sights that I hope no Member of this House will ever see. I have seen them dying, and I have seen them dead.

Mr. Speaker, there is no law strong enough for me to vote for that would keep the yellow-fever plague from the boundaries of the United States. The people of Louisiana to-day are feeling unrestful about the coming season. It is not that the quarantine time is coming, but it is here, and unless there be some relief given within a very sohrt time, it would be useless, as it could do no good.

Now, Mr. Speaker, so that I may not waste the time of the House, I ask for a vote on this question. [Applause.]

Mr. BEVERIDGE. That is the spirit of a humane man; but if we could speak thus for a bill to kill yellow fever, how much more should we speak for a bill to kill child labor?

Mr. BACON. Mr. President, if the Senator will pardon me——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. I do.

Mr. BACON. I will not take but a minute of the Senator's time. I wish simply to say that the Senator is mistaken as to the provisions of the quarantine law. It is purely a maritime quarantine law. It goes to the extent of exclusion from the country, but, so far as interstate matters are concerned, the quarantine law has no provision whatsoever. On the contrary, when it passed——

Mr. BEVERIDGE. I definitely stated that the practical effect of that law—I know what was done to it when it got to the Senate—but the practical effect and practical intent of the bill was that we should have a National quarantine system, because everybody saw how perfectly foolish the other system was. If yellow fever got into the port of Mobile, though it was kept out of the ports of other States, it would cross State lines just the same. Yellow fever does not know anything more about State lines than a passenger train does.

If we would not quibble about the constitutionality of the quarantine law to protect the people from yellow fever, which does not kill a hundred people in twenty years, we ought not to quibble about the constitutionality of a law to stop a practice that kills thousands of people every year, and those people children.

STATES CAN NOT END THE EVIL.

Mr. President, why is it that the States can not stop this evil? In the first place, the Senator from Tennessee [Mr. CARMACK] by his question furnished me the text. If one State passes good laws and enforces them and another State does not, then the business men in the former State are at a business disadvantage with the business men in the latter State.

The business man in the State that has the good laws suffers from the very righteousness of that State's laws, and the business man in the State that has bad laws profits by the very wickedness of that State's laws.

The Senator will agree that it is common sense as well as Americanism that every business man beneath the flag ought to have equal business opportunities so far as the law can give them to him.

Mr. TILLMAN. Will the Senator allow me?

Mr. BEVERIDGE. Certainly.

Mr. TILLMAN. That last remark of the Senator is so broad I am afraid the Senator will revise it when he comes to the question of the protective tariff, and certain industries and certain classes are protected to the detriment——

Mr. BEVERIDGE. I am coming to that in a minute.

Mr. TILLMAN. I think that the good sense and the love of humanity in any State, where it is pointed to properly, will redress this wrong and cure the evil, or kill it, if the facts are ever presented to the people.

Mr. BEVERIDGE. But the Senator would not object to having the Nation do it if the Senator believed that it was entirely within the province of the Nation to do it?

Mr. TILLMAN. If the Senator can convert me on that point, I will be ready to go with him, but I want to call the Senator's attention to another phase of it. We have in the South a very large number of children from 6 years up who help pick cotton in the fall. Would the Senator have the cotton crop stopped from entering into interstate commerce because little children are engaged in helping to gather it?

Mr. BEVERIDGE. Certainly not.

Mr. TILLMAN. Very well. Still if the Senator's bill does not differentiate the kinds of labor and protect us in some way or other, it will be so broad and sweeping that I am afraid it will go too far.

Mr. BEVERIDGE. The Senator has not read the bill.

Mr. TILLMAN. I have not read it. Why should I read it until the time comes to vote on it? I have not had time to read it.

Mr. BEVERIDGE. It is very short, I will say to the Senator.

Mr. TILLMAN. But I know the general proposition involved, which is that Congress shall pass a law to prohibit entering into interstate commerce articles produced in factories by children, or something of that sort.

Mr. BEVERIDGE. That is right.

Mr. TILLMAN. That is about the substance of it.

Mr. BEVERIDGE. That has nothing to do with picking cotton.

Mr. TILLMAN. Picking cotton, however, is an industry in which children engage, and they begin at a very early age, and they begin very early in the morning.

Mr. BEVERIDGE. So far as this measure is concerned, it lets them pick cotton. If the Senator had been here when I began my speech he would have heard me say that I have no objection to the working of children in the open air; that I think labor on a farm within their strength is a good thing; that I think one of the best features of our educational system is the manual-training schools of our cities, by far the best schools that we have; that I expect to live to see the day when we shall have as a part of the system of education the teaching of children how to work.

That is not what this bill strikes at. This bill strikes at the personal infamy and the national danger of child's labor in factories and mills and sweatshops, and nothing else.

Mr. FULTON. Will the Senator allow me to ask him a question?

Mr. BEVERIDGE. Certainly.

Mr. FULTON. The Senator from South Carolina suggests that the children of South Carolina engage in picking cotton. The Senator from Indiana says he does not purpose by this bill to prohibit the shipment of cotton as an article of interstate commerce. But I ask the Senator if the principle is not exactly the same?

Mr. BEVERIDGE. I will come to that. I know exactly what the Senator is going to ask. He is going to ask if we can exclude the products of the factory, can we not exclude the products of the farm? Certainly we can, as a matter of *power;* but we never will as a matter of *policy.* The possible abuse of a power is no argument against its existence. I will come to that presently, but I do not want to get away from my questions of fact.

Mr. FULTON. Let me ask the Senator if Congress can prohibit cotton from being shipped from one State to another because it was picked by children——

Mr. BEVERIDGE. Yes; or a redheaded girl.

Mr. FULTON. Can it not prohibit wheat from being shipped from one State to another because a person was employed more than eight hours?

Mr. BEVERIDGE. Why, undoubtedly; as a matter of *power;* though that has nothing to do with this bill. This bill rests on much narrower foundations.

Mr. FULTON. Then there is nothing that Congress can not regulate in our internal affairs.

Mr. BEVERIDGE. I will answer that question. I am glad the Senator has brought that question up. Let us meet the questions of human industry face to face and vote on them. As long as I am in public life I am prepared to vote on any question that arises, and I never shall shield myself and excuse myself from voting upon them with any strained constitutional construction. Now, I will say to the Senator that I have had in mind——

Mr. FULTON. Let me ask the Senator——

Mr. BEVERIDGE. Wait a minute.

Mr. FULTON. Mr. President——

Mr. BEVERIDGE. No; just a minute. I am on the point the Senator mentions precisely, and I intend when I come to the legal part of it to argue it at length. If the Senator does not mind to wait until I get to that part, I don't want to have my argument disarranged.

Mr. FULTON. It is as to this point——

The VICE-PRESIDENT. Does the Senator from Indiana yield further to the Senator from Oregon?

Mr. BEVERIDGE. I do.

Mr. FULTON. The Senator says he never shielded himself behind the Constitution. I assume the Senator does not mean to say that he believes if Congress is without constitutional power to enact certain legislation he will nevertheless insist on voting on it.

Mr. BEVERIDGE. Mr. President, most certainly I do not, I will say to the Senator; most certainly I do not.

Now that the Senator has asked that question, I would not be surprised that a good deal of anxiety about the constitutionality of this bill is wrapped up in that very eight-hour question. It may be that many people hope that this is unconstitutional, so that they will not have to vote on it and the whole group of questions associated with it.

Now I am going to argue the *power* of this question later on, and I wish the Senator would let me get through with the facts.

Mr. FULTON. Let me say to the Senator in answer that he does not mean it, I am sure, and yet his answer assumes more sincerity to himself than he imputes to others.

Mr. BEVERIDGE. That is the very question the Senator from Wisconsin asked me. Certainly I assume that every man here—no, not every man here; I don't think, no—but I think most of us, have about equal sincerity. I do not think we all have. I do not think all human people are alike. I know it is a polite thing to say they are all equally sincere, but as a matter of fact we are not. The Senator from Wisconsin asked me if I was any more earnestly interested in this child labor than anybody else and I told him I thought I was.

STATES NEVER HAVE UNIFORM LAWS.

Mr. President, the next reason why the States can not adequately handle this question is because neither in this nor in any other important question have the States ever succeeded in having uniform laws; and it is clear that this evil can not be remedied unless there *are uniform laws upon it.*

Suppose, for example, that Ohio passes an excellent child-labor law and my State repeals ours, instantly every manufacturing establishment in my State would drain the child labor from Ohio to us, because it is cheaper and more profitable, and the manufacturers of Ohio would be at a disadvantage with the manufacturers of Indiana.

Not only that, but if every single State in the Union but one were to enact a good law and execute it (and I will show you in a minute that they do not and that they can not—and I will show you why they do not and can not), nevertheless the one State that did not and that continued to permit the infamy that exists in many of the States now that I have referred to to-day would be ruining citizens not of that State only, but citizens of the Nation also.

A child that grows up in New York and becomes a citizen is not alone a citizen of New York. He is a citizen of the Republic as well. He does not vote exclusively if he is in North Carolina for North Carolina candidates. He votes for the President of the Republic; he votes for members of the legislature that elect a United States Senator; he votes for a Congressman. He is as much a citizen of the Nation as he is a citizen of the State, and when any system of labor or of lack of education ruins him for citizenship in the State he is ruined for citizenship in the Nation.

So not only, Mr. President, is there inequality of business opportunities, but by that inequality the ruin of citizens in any one State, the murder of the innocents in any one Commonwealth, affects the entire Republic as much as it affects that State.

Senators who are sincerely anxious about the question of the rights and the dignity of the States must not also forget the rights and the dignity and the future of the Nation. We have not any right to permit any State to produce in this Republic a degenerate class unfit for citizenship beneath the flag, because they vote at National ballot boxes as well as State ballot boxes, if any exercise of our power under the Constitution can prevent it.

Now, Mr. President, there can not be any uniformity. There is not. Here is an abstract of the State laws upon the subject of child labor. There are not six of them alike. Some have no child-labor laws at all; others are worse than any laws, because they are pretenses at labor legislation which make the people and the country think that something has been done, when, as a matter of fact, nothing has been done, and the ruin that went on before without the sanction of the law continues under the sanction of the law.

ABSTRACT OF STATE LAWS.

I am going to read, just to show how inadequate, how inharmonious, these are, a few of these laws:

ALABAMA.

Age limit for working in mines, 12 years. Age limit for working in factories, 12 years; night work in factories, 13 years. Orphans and children of dependent parents between 10 and 12 years are allowed to

work in factories. Children under 12 can work sixty-six hours a week. Parents furnish sworn certificate of the age and birth of the child. No factory inspection.

For the purposes of execution that law might just as well not exist. There is no factory inspection even then.

Now, let us go on to some others, because I have not time to read them all:

GEORGIA.

Age limit for children in factories, 12 years; orphans and children of dependent parents, 10 years—

Later on in this debate—not to-day—I intend, if any Senator raises the question, to go more extensively into the widow question, or, what is known among the men and women who have studied this question all their lives through, as the "widow-woman fraud," in relation to child labor. It is a shameful and a pitiful excuse, under which more children are ground to death than anybody who had not examined the subject would believe.

GEORGIA.

Age limit for children in factories, 12 years; orphans and children of dependent parents, 10 years; age limit for illiterate children, 14 years; for night work, 14 years. After January 1, 1908, children under 18 required to attend school twelve weeks of each year. Certificates furnished by parents. *No factory inspection.* No age limit for work in mines.

As a matter of practical execution that law might just as well not exist. I have given evidence here in extreme abundance as to how age certificates are obtained in Pennsylvania, where they do have factory inspection. With reference to that, I perhaps had better stop right here and call the attention of the Senator from Georgia [Mr. BACON] to what I said a moment ago about the condition which has prevailed since this law went into effect.

CORRECTION OF A MISSTATEMENT.

I read from the Atlanta Journal of January 6, 1907. It corrects my statement a moment ago:

[From Atlanta Journal, January 5, 1907.]

Despite the fact that the child-labor bill became effective in Georgia January 1, it is nevertheless estimated by Ordinary Wilkinson—

I believe that is the county clerk, or some equivalent officer there—

that in Fulton County alone—

I was wrong. It is not in the State, but in Fulton County alone—

that in Fulton County alone during the current year between *2,000 and 3,000 children under 12* years of age may be put to work in the factories.

That is "isolated"—that is, "occasional." It could not be that our "best people" would ever work that many children after the passage of the new law.

This seeming infraction of the spirit of the new law becomes possible in this manner:

Though a child may be under the prescribed age, if he is an orphan or has a widowed mother or a disabled father, and any one of these conditions be shown to the ordinary under the oath of child or parent, a certificate will be issued by the ordinary permitting the child to work in a factory.

I said to the Senator from Georgia that the law of his State is not worth the paper it is written on; it is just what the factory people want; and it permits this infamy to go on under the sanction of law, whereas it had to go on heretofore without the approval of the statute. Now, let us see. I am reading from one of that State's papers—the Atlanta Journal:

In every case the evidence must be written out in detail and filed for inspection by the grand jury. This method, of course, throws a safeguard about the bill; but, as has been pointed by mill owners, the absence of any birth record in Fulton County makes fraud under such instances highly and frequently possible.

Of prime interest to the ordinary's office just at present is the immense increase of work that the operation of the new bill has entailed. The registration and examination of each candidate for one of the permits mentioned requires, says the ordinary, at least an hour's time. Nor does the bill provide extra pay or assistance for this additional work.

All they have got to do is to show, not age alone, but that only one of three conditions exist; and to show that in any way—by a certificate; *and there is no factory inspection.* The law is a dead letter; and the ordinary of Fulton County estimates that in the present year and in that one county 3,000 children will be put to work, notwithstanding your new law.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. I do.

Mr. BACON. I simply rise to say that the Senator in his statement of this law is not entirely correct, and while I will not interrupt him to discuss that proposition I will, after he concludes, as he will not permit me to read the law now——

Mr. BEVERIDGE. I can not do it, because time is flying.

Mr. BACON. I want to say that at the conclusion of the Senator's remarks I myself, in my own time, intend to put the Georgia law in the RECORD and let the public judge whether the Senator is correct or is mistaken.

Mr. BEVERIDGE. I hope the Senator will; but, as one of the Senator's best friends, I hope the Senator will not defend that law or attempt to deny the condition existing in his own State, because if the Senator does I will tell the Senator that I do not think he is familiar with conditions in his own State.

Mr. BACON. I am very much obliged to the Senator for his repeated estimate of my various faculties as to information, etc.

Mr. BEVERIDGE. I could not help it when the Senator said it was "occasional and isolated." I did not say it. The Senator from Georgia said it.

NEW JERSEY.

Age limit for children working in factories and mines, 14 years. Hours of labor, fifty-five per week, and night work forbidden except in canning establishments and glassware. Factory inspection.

NORTH CAROLINA.

Age limit for children working in factories, 12 years. Children under 18 not required to work more than sixty-six hours per week—eleven hours per day. Written statement of age of child furnished by parents. No provision for children working in mines. No factory inspection.

Yet the Senator from North Carolina states that they have an admirable child-labor law down there—that is, in North Carolina—and I have the official notes of the stenographer reporting the speeches those North Carolina mill owners made in their successful resistance to any improvement in the law at the last session of the North Carolina legislature.

Oregon has one of the very best laws in the country and South Carolina has one of the worst. I guess there is only one worse than that, and that is the law of West Virginia, which is the worst in the whole country.

SOUTH CAROLINA.

Age limit for children working in mines and factories, 12 years. Orphans and children of dependent parents allowed to work at any age in textile factories. Night work forbidden for children under 12 years of age. Hours of labor, sixty-six hours per week. Parents required to furnish certificates of age. No factory inspection.

WEST VIRGINIA.

Age limit for children in mines and factories, 12 years. No factory inspection.

That is all for West Virginia, where captains of industry thrive.

Wisconsin undoubtedly has the best law of any of them. But to read an abstract of them all takes too much time; so I ask leave to insert an abstract of these laws in my remarks.

The VICE-PRESIDENT. Permission will be granted, in the absence of objection.

The abstract referred to is as follows:

ALABAMA.

Age limit for working in mines, 12 years.

Age limit for working in factories, 12 years; night work in factories, 13 years.

Orphans and children of dependent parents between 10 and 12 years are allowed to work in factories.

Children under 12 can work sixty-six hours a week.

Parents furnish sworn certificate of the age and birth of the child. *No factory inspection.*

Acts of 1903.

ARKANSAS.

Age limit for working in mines, 14 years; for illiterate children, 16 years.

Age limit for working in factories, 12 years; orphan children and children of dependent parents, 10 years.

Age limit for night work, 14 years; age limit for illiterate children, 14 years. Children under 14 years are required to attend school twelve weeks of each year while working in factories.

Certificate of parents as to ages of children.

Acts of 1903.

CALIFORNIA.

Age limit for children in factories, 12 years. Children *under* 18 not allowed to work more than *nine hours a day.* Parents required to furnish certificates of age.

Acts of 1901.

COLORADO.

Age limit for children in mines, 14 years; illiterate children, 16 years. Children *under* 16 not allowed to work in mines or factories more than *eight hours a day.* Employment of children under age, or hiring out by parents, a crime punished by a fine or imprisonment, or both.

Acts of 1903.

CONNECTICUT.

Age limit for children in factories, 14 years; illiterate children, 16 years, unless attending night school. Parents furnish certificates; factory inspection by school authorities.

Acts of 1902.

DELAWARE.

Age limit for children in factories, 14 years, except for children in canneries. Factory inspection.

DISTRICT OF COLUMBIA.

No child-labor law for factories.

FLORIDA.

No child-labor law.

GEORGIA.

Age limit for children in factories, *12 years;* orphans and children of dependent parents, 10 years; age limit for illiterate children, 14 years; for night work, 14 years. After January 1, 1908, children under 18 required to attend school twelve weeks of each year. Certificates furnished by parents. *No factory inspection. No age limit for work in mines.*

IDAHO.

Age limit for children working in mines, 14 years. No factory inspection.

ILLINOIS.

Age for children working in mines, 14 years. Age limit for children working in factories, 14 years. Age limit for illiterate children, 16 years. Documentary proof required for age certificate, furnished by school authorities. Excellent factory inspection. Age limit for night work, 16 years. Hours of labor, *forty-eight a week.*
Acts of 1903.

INDIANA.

Age limit for children working in factories and mines, 14 years. Hours of labor for children under 14 years, *eight hours per day;* between 14 and 16, *ten hours per day.* Age limit for illiterate children, *16 years.* Excellent factory inspection.
Acts of 1901.

IOWA.

Age limit for work in mines and factories, 14. Age limit for night work and for work in dangerous employments, 16. Certificates required for all children under 16. *Factory inspection.*
Acts of 1905.

KANSAS.

Age limit for children working in mines, 12 years. Illiterate children, 16 years. Age and schooling certificates furnished by school authorities. No factory inspection.

KENTUCKY.

Age limit for children working in mines and factories, 14 years. Age limit for night work, 16 years. Factory inspection.
Acts of 1905.

LOUISIANA.

Age limit for children working in factories: Boys, 12 years; girls, 14 years. Age limit for illiterate children, 14 years. Hours of labor for children under 18 years, sixty a week. Factory inspection.
Acts of 1906.

MAINE.

Age limit for children working in factories, *12 years.* Illiterate children, 15 years. Girls under 18 and boys under 16 years not to be employed more than *ten hours per day.* Certificates made by children or parents. *Factory inspection.*
Acts of 1887.

MARYLAND.

Age limit for children in mines and factories, 12 years. Children under 16 years required to furnish certificates as to physical condition and schooling certificate. Factory inspection.
Acts of 1905.

MASSACHUSETTS.

Age limit for children in factories, 14 years. Age limit for illiterate children, 16 years. No minors shall be employed between 10 p. m. and 6 a. m. Hours of labor for children under 18 not more than fifty-eight in one week nor ten in one day. Age and schooling certificate signed by superintendent of school. Factory inspection.
Acts of 1902.

MICHIGAN.

Age limit for children in factories, 14 years. Dangerous occupations, 16 years. Hours of labor for boys under 18 not more than sixty hours per week. Age limit for night work, 16 years. Factory inspection.
Acts of 1901.

MINNESOTA.

Age limit for children working in mines or factories, 14 years. Dangerous occupations, 16 years. Age limit for night work, 16 years. Hours of labor for children under 16 not more than sixty hours per week. Age and schooling certificates signed by superintendent of schools. Factory inspection.
Acts of 1895.

MISSISSIPPI.

No child-labor law.

MISSOURI.

Age limit for children in mines, 12 years. Illiterate children, 14 years. Age limit for children working in factories, 14 years. Factory inspection.
Acts of 1901.

MONTANA.

Children under 14 years of age not to be employed during the school term, nor children of 16 during the school term unless they can read and write. Factory inspection by truant officers. Person employing or hiring a child under 14 in mines or factories punishable by fine.
Acts of 1895.

NEBRASKA.

Age limit, 14, in factories. *No factory inspection.*

NEW HAMPSHIRE.

Age limit for children working in factories, 12 years; during the school term, 16 years. Hours of labor for children under 18 years *not more than sixty per week.* No factory inspection.
Acts of 1901.

NEW JERSEY.

Age limit for children working in factories and mines, 14 years. Hours of labor, fifty-five per week, and night work forbidden, except in canning establishments and glassware. Factory inspection.
Acts of 1903.

NEW YORK.

Age limit for children working in mines, 16 years, and factories, 14 years; illiterates in factories, 16 years. Night work forbidden for children under 16 years. Hours of labor for children under 18 years, *sixty per week.* Dangerous employment forbidden for children under 18. Employment certificates issued by the board of health. Factory inspection.
Acts of 1903.

NORTH CAROLINA.

Age limit for children working in factories, *12 years.* Children under 18 not required to work *more than sixty-two hours* per week—eleven hours per day. Written statement of age of child furnished by parents. No provision for children working in mines. *No factory inspection.*
Acts of 1903.

NORTH DAKOTA.

Age limit for children in mines and factories, 12 years. No factory inspection. Children under 14 required to attend school twelve weeks per year. Hours of labor for children under 14 years, ten hours per day.

OHIO.

Age limit for children working in mines and factories, 14 years. Night work forbidden to boys under 16 years and girls under 18. Age limit for illiterate children, 16 years. Age and schooling certificates signed by superintendent of schools. Factory inspection.
Acts of 1902.

OKLAHOMA.

No child-labor laws.

OREGON.

Age limit for children working in mines and factories, 14 years. Age limit for illiterate children, 16 years. Age limit for night work, 16 years. Hours of labor for children under 16, not exceeding ten hours per day. Affidavits for age furnished by parents. Factory inspection.
Acts of 1903.

PENNSYLVANIA.

Age limit for children working in mines, 16 years.
Age limit for children working in factories, 14 years. Hours of labor not more than sixty hours per week. Factory inspection.
Acts of 1905.

PORTO RICO.

Children under 16 not allowed to work over nine hours per day.
Acts of 1902.

RHODE ISLAND.

Age limit in factories, 14; night work, 16. Children under 16 required to furnish certificates. Factory inspection.

SOUTH CAROLINA.

Age limit for children working in mines and factories, 12 years. Orphans and children of dependent parents allowed to work *at any age* in textile factories. Night work forbidden for children under 12 years of age. *Hours of labor, sixty-six per week.* Parents required to furnish certificates of age. *No factory inspection.*
Acts of 1903.

SOUTH DAKOTA.

Age limit for children working in mines, 14 years. Children *between the ages of 8 and 14* not permitted to work in factories *unless they attend school* twelve weeks of the year. Certificates furnished by school authorities. *No factory inspection.*
Acts of 1903.

TENNESSEE.

Age limit for children working in mines and factories, 14 years. Parents required to furnish sworn certificates of age. Factory inspection.
Acts of 1901.

TEXAS.

Age limit for children working in factories, 12 years. Age limit for children working in mines, 16 years. Age limit for illiterates, except children of dependent parents, —. Age limit for night work in factories, 14 years. Employment of children under legal age punishable by fine for each offense. No factory inspection.
Acts of 1903.

UTAH.

Age limit for children working in mines, 14 years. No factory inspection.
Acts of 1898.

VERMONT.

Age limit for children working in factories, 12 years. Children under 16 years not permitted to work during school hours unless they have completed elementary course of study of 9 years. Age limit for children working after 8 o'clock p. m., 16 years. Town superintendents of schools empowered to inspect factories.
Acts of 1906.

VIRGINIA.

Age limit for children working in factories, 12 years. For night work, 14 years. Parents of employees knowingly violating the act punishable by fine. *No factory inspection.*
Acts of 1903.

WASHINGTON.

Age limit for children working in mines, 14 years. Children under 15 working in factories required to attend school ——— of a year. Age limit for children in factories, 14 years. Children of dependent parents, 12 years. No factory inspection.
Acts of 1903.

WEST VIRGINIA.

Age limit for children in mines and factories, 12 years. *No factory inspection.*

WISCONSIN.

Age limit for children working in mines and factories, 16 years, unless he obtains a permit from the factory inspector or county judge. No child under 14 employed under any circumstances. Factory inspection. Children under 18 not allowed to work more than eight hours per day.
Acts of 1903.

WYOMING.

Age limit for children working in mines, 14 years. Employment of children under 14 in mines punishable by fine. No factory inspection.
Acts of 1899.

SUMMARY.

Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa Kentucky, Massachusetts, New Jersey, New York, Utah, Washington, Rhode Island, Tennessee, Michigan, Minnesota, Ohio, Oregon, Pennsylvania, and Wyoming already have an age limit of 14 years for children in mines and factories, while Alabama, California, Georgia, Kansas, Maine, Maryland, North Carolina, North Dakota, Virginia, West Virginia, South Carolina, Missouri, and New Hampshire have an age limit of 12 years. Alabama and Georgia allow children of 10 years to work in factories sixty-six hours a week if they are orphans or children of dependent parents, while Vermont allows children of 12 years to work except during the school term, and South Carolina allows children of any age to work in cotton factories who are children of dependent parents. Arkansas has an age limit of 12 years for factories, 10 years for children of dependent parents, but 14 years for children working in mines, and 14 years for illiterate children. Alabama forbids night work for children under 13 years of age. Georgia has an age limit of 14 years for illiterate children. Louisiana has an age limit of 14 years for girls and 12 for boys working in factories. Maryland has an age limit of 16 years for illiterate children. Virginia forbids night work for children under 14 years. South Dakota has an age limit of 14 for mines, but

allows children of 8 to work in factories if they attend school twelve weeks in a year. Missouri has an age limit of 12 years for children in mines, but 14 years for children in factories, while Texas has an age limit of 12 years for factories and 16 years for mines. A United States Statute, acts of 1891, forbids the employment of children under 12 years of age in mines in any Territories.

Mr. OVERMAN. How about Indiana?

Mr. BEVERIDGE. The Indiana law is about the third or fourth best in the country. It is an admirable law. The age limit there for children working in factories and mines is 14 years, and the law provides for factory inspection. We have a good factory inspection, but not as good as that in Illinois, which is admirable, notwithstanding which I propose to show the law is violated there just now, as I have no doubt it is in my State, although none of the investigators have pointed it out in my State. Still we violate the law I have no doubt, for States can not properly deal with this National evil. Manufacturers of a State having a good law *will* violate it because of the competition of States having bad laws. Uniformity is the only remedy.

Mr. GALLINGER. Mr. President, will the Senator permit me for just a moment?

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

Mr. BEVERIDGE. I do.

Mr. GALLINGER. I have here Bulletin 68, of the Department of Commerce and Labor, on child labor, which shows that in Evansville, Ind., 12.5 per cent of the breadwinners are between 10 and 15 years of age, and in Indianapolis 9.9 per cent of the breadwinners are of that early age. So that in Indiana the law is being violated.

Mr. BEVERIDGE. I said it was. I stated that to the Senate.

Mr. GALLINGER. I so understood the Senator.

Mr. BEVERIDGE. I say we have in Indiana an excellent child-labor law and an excellent inspection law; but it is violated there, though not to the extent to which it is being violated elsewhere. *But to the extent to which it is being violated, we have just that large percentage of infamy.*

Mr. GALLINGER. I will say to the Senator on that point that in eighty cities of the country, having at least 50,000 inhabitants each, the per cent is 10.3 and in Indiana it is 11.2.

Mr. BEVERIDGE. But take the cities as a whole.

Mr. GALLINGER. Those are the only cities reported in Indiana.

Mr. BEVERIDGE. I will say, notwithstanding the excellent factory inspection, I am going to show that in Illinois, whose law comes as nearly as possible to being perfect, it is violated. The truth about it is that the States are incompetent to deal with this question. *You have got to have a uniform law.*

You have got to have the manufacturer feel that at any time, upon the application of any citizen, of any good woman who sees him take a child to work whom she knows to be under age, to apply to a court of justice, have him haled by the United States district attorney before the United States district court, *and let him face the prison bars.* That will increase the manufacturer's watchfulness.

If you depend upon the parents to furnish certificates and let the manufacturers obtain the labor of these children, of course you can not get laws enforced; but when the manufacturer himself knows that he must err, if he errs at all, upon the right side, and that if he errs upon the wrong side, he will find the penitentiary opening to him as the consequence, he will take mighty good care that he does know the age of the children whom he employs.

WHY STATES DO NOT PASS OR ENFORCE GOOD LAWS.

Mr. President, another reason why it is that the States can not care for this matter is that in those States where this evil is worst—and I will not now name them—the great interests that are becoming rich from this practice have always in the past been powerful enough to prevent righteous legislation; and in no instance, as I shall show by extracts I will put in the RECORD, have they failed to take advantage of that. Time after time they have defeated such legislation in Pennsylvania and in every one of the Southern States, as the Senator from South Carolina pointed out a moment ago, and even when the pressure of public opinion becomes such that a law is passed, as is the case with the North Carolina law now, it is constantly violated, as I shall show by sworn testimony that I propose to give in a moment.

Mr. OVERMAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from North Carolina?

Mr. BEVERIDGE. I do.

Mr. OVERMAN. The Senator says that in the State of Wisconsin they have the best child-labor law in America——

Mr. BEVERIDGE. Yes.

Mr. OVERMAN. And that they also have an excellent child-labor law in Illinois——

Mr. BEVERIDGE. They have.

Mr. OVERMAN. And yet those laws are constantly violated?

Mr. BEVERIDGE. Yes.

Mr. OVERMAN. Then, can Congress pass a law that will not be violated?

Mr. BEVERIDGE. I think we can make a law, if you will vote for it—but will you?—that will not be violated more than four or five times. When you put behind the bars a man who has wrung his money out of the blood of children, the remainder of such men will quit doing it. They are looking out for their own pocketbooks and their own persons.

Mr. SPOONER. Mr. President——

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

Mr. BEVERIDGE. I do.

Mr. SPOONER. The Senator's last observation leads me, with his permission, to ask him a question.

Mr. BEVERIDGE. Yes; I yield.

Mr. SPOONER. Does the Senator think Congress has the power to enact a child-labor law, the violation of which in Wisconsin would be visited with imprisonment?

Mr. BEVERIDGE. Undoubtedly, if they ship the goods made by those children on an interstate railway.

Mr. SPOONER. No; the Senator does not answer my question.

Mr. BEVERIDGE. Then I will answer that most certainly I think so.

Mr. SPOONER. That answers my question.

Mr. BEVERIDGE. I answer your question, and I will go on and answer it some more. I will say to the Senator Congress can, in my judgment, pass such a law as I was trying to explain a moment ago. This proposed law is so drawn that every sincere States-rights man can vote for it without violating his constitutional convictions. I drew it in that way. Otherwise I would have drawn it upon the theory of the meat-inspection law. If we had a right to put inspectors into a packing house to inspect a packing house and to see that they did not can and prepare diseased meat, I know of no reason why we could not do the same thing with manufacturing establishments.

I decline to debate that point now, because that is not up; but what I do say to the Senator is this: I would not pretend for a moment that we have the right to make a law for a State that would affect the child labor in that State exclusively. *That, however, is not the question before us.*

We have a right to pass a law applying to any factory or mine owner in Wisconsin who ships his products out of the State. I will demonstrate that to your satisfaction later, because I have studied the question, and when I come to the legal part of my argument I will show that we have control over the shipment of products of child labor over interstate railways.

Mr. SPOONER. We have all examined this subject more or less in connection with questions which have arisen here. I only want to get at the Senator's proposition.

Mr. BEVERIDGE. I am not on that proposition yet, but I will deal with it presently. I am not on that proposition now.

Mr. SPOONER. But I am on the proposition now. The Senator's proposition, as I understand it, is that Congress has the power to enact, under the commerce clause of the Constitution, a law which will be operative to regulate adequately—or not at all—child labor in the States.

Mr. BEVERIDGE. In factories, mines, and sweatshops in the States.

Mr. SPOONER. Child labor in the States.

Mr. BEVERIDGE. Yes; child labor in the States.

Mr. SPOONER. Engaged in the manufacture of a product for transportation from State to State?

Mr. BEVERIDGE. Yes; even agriculture.

Mr. SPOONER. If the Senator will permit me a word further, that statement is based upon the proposition that the power of Congress over interstate commerce is absolute; that it may prohibit the transportation of any product from State to State.

Mr. BEVERIDGE. Yes; that is precisely the proposition that I intend to argue, and I will present to the Senator some decisions upon it. Of course I suppose that this ought not to be done. We have an instrumentality which is supposed to instruct us upon this subject, and we ourselves ought not to debate the constitutionality of it until we hear from that tribunal.

Mr. SPOONER. Mr. President, if the Senator will permit me——

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

Mr. BEVERIDGE. Yes.

Mr. SPOONER. I suppose the Senator refers to the Judiciary Committee?

Mr. BEVERIDGE. I prefer to debate that question when it comes up.

Mr. SPOONER. It will come up.

Mr. BEVERIDGE. I do not suppose it will; I do not know whether it will come up or not, unless the Senator can give out a fiat here.

Mr. SPOONER. I can give a fiat for myself, at least.

Mr. BEVERIDGE. Well, you did give a fiat to the Senate.

Mr. SPOONER. I did not.

Mr. BEVERIDGE. You presented a resolution referring the question——

Mr. SPOONER. Yes.

Mr. BEVERIDGE. To the Judiciary Committee, which, of course, would make the Senator chairman of the subcommittee of the Judiciary Committee which was to advise the Senate upon the constitutionality of the question. Of course that assumed that the committee having the bill in charge—the Committee on Education and Labor—was not competent to pass upon the matter, and that the other Senators here were not competent to pass upon it.

Mr. SPOONER. Oh, no.

Mr. BEVERIDGE. Well, I think that is a subject that will bear some discussion when the thing comes up.

Mr. SPOONER. Mr. President, if the Senator will permit me, I have been a member of the Senate a good many years—longer than the Senator from Indiana has been——

Mr. BEVERIDGE. Yes; that is true.

Mr. SPOONER. Although I do not expect, if I should remain here very much longer, to know as much as the Senator does. But it has often happened during my relatively short experience that the Senate has called upon the Judiciary Committee to advise it as to what it might, so far as that committee's opinion went, within constitutional limits, do in the way of legislation. The Senator is quite mistaken when he speaks of me as having issued any fiat. Several bills were pending here on this subject, about which I had then and have now doubt——

Mr. BEVERIDGE. You have more than that.

Mr. SPOONER. And to which, perhaps, on reconsideration, the Senator might not give his approbation. I said I had doubt.

Mr. BEVERIDGE. I thought I had understood the Senator heretofore to express more than that.

Mr. SPOONER. No, Mr. President; I do not know what the Senator thought he understood, but I know what I thought and what the condition of my mind was. I did not consider it any usurpation. I conceived it to be a legitimate function to introduce a resolution in the Senate to instruct the Judiciary Committee to report its opinion upon a question. The fiat lay in the adoption by the Senate of the resolution placing the matter before the committee; but I do not intend to express my opinion about it in the Senator's speech.

Mr. BEVERIDGE. I hope the Senator will. I have already, while the Senator was out, invited any Senator here who wanted to at any time to ask me any question, either about the facts or the law, so that if I were wrong I might be corrected.

Mr. SPOONER. Of course I shall ask for information of the Senator, because I am on the Judiciary Committee, and I want the advice of the Senator.

Mr. BEVERIDGE. I will say to the Senator that I am permitting him to interrupt me, but I do not understand why the Senator should throw out that last suggestion. Of course I can not give the Senator any information, nor can anybody else.

Mr. SPOONER. Yes; the Senator can.

Mr. BEVERIDGE. Well, I might; but the Senator does not think so.

Mr. SPOONER. If I did not think the Senator could, I would not ask him.

Mr. BEVERIDGE. I decline to take any time at this juncture to discuss the practice which is growing up here of a Junior Supreme Court to relieve the Supreme Court itself of all its constitutional functions and the Senate of all its constitutional responsibilities. I will not take any time for that now, but I shall be glad to debate that when it comes up, both as to the fact and as to the propriety and policy of it. For myself, I think it is extremely dangerous. I do not think, even with the limitations which the Senator was so kind as to suggest, that I will have very much difficulty in showing the danger in that practice.

Mr. SPOONER. I have no doubt that the Senator can do so.

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. I desire to get to the legal part of my argument, but I will yield to the Senator.

Mr. CARMACK. The Senator in speaking of the difficulty in enforcing the State laws said that often, where perfect laws were enacted, mill owners would prevent the perfect and effective administration of the law. In other words, if I understand the Senator, his argument is based very largely upon the presumption that local self-government is a failure.

Mr. BEVERIDGE. By no manner of means. I am surprised that the Senator from Tennessee, for whom I have an affection as great as is my admiration—and he knows it, too—should deal with this serious question in that light vein.

Mr. BACON. Mr. President, Senators on this side of the Chamber are unable to hear the debate.

Mr. CARMACK. Mr. President——

Mr. BEVERIDGE. The Senator knows perfectly well that I am as earnest a defender of local self-government within its proper limits as is the Senator, and that I do not believe for a single minute that the failure of the State laws to grapple with a situation like this means the failure of local self-government.

Mr. CARMACK. If the Senator will permit me——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Yes; I yield.

Mr. CARMACK. I was stating what I conceive to be the logical conclusion of the Senator's argument. The Senator was giving reasons why the State laws would not accomplish the object, and one of the reasons given by him was that even where State laws, perfect in themselves, were enacted, the corrupt influence of mill owners was such that the laws could not be enforced. I say the logical conclusion of that is that the Senator bases his position very largely upon the assumption that local self-government is a failure.

Mr. BEVERIDGE. That is the way it may look to the Senator from Tennessee.

FAILURE TO ENFORCE STATE LAWS.

Mr. President, I will ask the Senate to permit me to present affidavits from a large number of persons concerning law violations in a number of these States, particularly in the southern cotton mills and the coal breakers of Pennsylvania.

Here is Mr. Lovejoy's report of one of his investigations. His affidavit to its truth is already in the record. I want to call attention to one from New Jersey. These are all specific. They give names; they give ages; they give places, and draw the necessary conclusions. Here is the case of a girl who works in New Jersey from twelve to fourteen hours a day. She was 15 years of age and had been taken out of school at 12.

Mr. Lovejoy proceeds now to give examples, giving names and dates and places:

Willie Mudamovitch—

That is a foreign name, you see. All of the names that I am going to give now for the next few minutes are foreign names; but because these are the children of foreigners is that any reason why they should be ruined for citizenship?

A little later, if it strikes any Senator here that because they are "foreigners"—Huns or Slavs—therefore the matter is minimized, I shall, by the time Senators on the other side get through with their lunch, make even worse citations from that portion of the country where is found, as the Senator from South Carolina [Mr. TILLMAN] the other day most truthfully said, the purest strain of Anglo-Saxon blood to be found on the continent.

I shall show by sworn testimony that those children are being ruined for citizenship, pure American strain though they be, as surely as are the foreign children in the breakers of Pennsylvania.

Mr. Lovejoy goes on. This is from his article in the Woman's Home Companion, to the truth of which he makes affidavit:

Willie Mudamovitch, of Shenandoah. He is but 10 years old and has been working in the breaker at odd times during the past year.

So he began work at 9 years of age.

He weighs 63 pounds, and was found hungry and dressed in rags at the Lehigh Valley station during the suspension of mining in May.

* * * * * * *

Walter Wilcowsky—

A foreigner—

Walter Wilcowsky, of Girardville—

Then he goes on to describe the town; but there is no use of my taking your valuable time for that—

Walter was 13 years old the 9th of last December and began to pick slate in one of the large collieries on the estate five weeks before he was 13 years old. He earns 77 cents a day for nine hours of work.

* * * * * * *

Among the scores of boys met and questioned in this valley of the region the following were typical and will convey an idea of the ages,

wages, and educational attainments of the boys who are under the legal age, and also the practical utility of the work certificate:

Frank Brizelle was 13 the 9th of July—

Therefore he began work at 12—

Frank Brizelle was 13 the 9th of July, and has been working for a year, having entered the breaker three months before he was 13. Although he is smaller than his age would indicate, he has never had an age certificate and affirms that he has never been asked for one.

So that violation of the law can not be put off on the guilty parents—and the parents are guilty. But under this bill the manufacturer will have to assure himself about the age. He can not excuse himself for his laches by a false certificate from the parents.

Mr. Lovejoy continues:

Micheal Nicuola has been employed four months and earns $4.93 a week. He claims to have reached 14 years the 6th of May, but several of his companions positively assert that on his recent birthday he told them he was 12.

John Barrows, who works in the same breaker, will be 14 next December. He is working on the "jigs" at present and earns $1 a day. He has been steadily employed since he was 8 years of age.

Andrew Komovosky, who was 13 years old April 28, left school in the first grade to enter the breaker. He is absolutely illiterate.

Charley Carpenter has been working two years, although he is but 12 years old at present. His wages are 72 cents a day.

This is in the State where the law requires that they shall be 14 at the very least, and 16 in the mines.

Michael Lutousky has also been working two years, although but 12 years old the 17th of August. He earns 66 cents for a nine-hour day and can not read his own name.

John McLaughlin * * * was 14 last January and has been in the breaker five years. His wages are 65 cents for eight hours' work. He says he has had three certificates from the squire, but none from the school.

Mr. President, the rest of this article is filled with similar illustrations. The few that I have read give you a fair description of the whole.

Here is another case of a little girl, "Mary Jaeger, *3 years of age*, assisting her mother. She does this *eight or ten hours a day*," etc.

Mr. KEAN. Where was that?

Mr. BEVERIDGE. That was in Paterson, N. J. Mr. President, if the law could not be enforced against people in as humble circumstances as those, can we think it would be enforced as against the great glass mills that have great walls about them?

The affidavits which I shall publish in my remarks, with the permission of the Senate, absolutely demonstrate the violation of this law. Here is one that I will stop long enough to read:

UNITED STATES OF AMERICA, *District of Columbia:*

Personally appeared before me, a notary public, F. C. Roberts, who on oath says that in March, 1906, he was in High Point, N. C., representing the American Federation of Labor; that he saw there the children employed in a knee-pants factory in operation in that town; that many of them were from *10 to 12 years* of age, to all appearances, and that one little girl, named Carrie Morgan, whose father was employed in one of the furniture factories of that place, was about 8 years of age, according to a statement made to him by her father; that her father furnished him with the weekly pay envelopes, showing the wages paid Carrie Morgan for the three months preceding, and that these envelopes showed that the child was paid from 19 to 49 cents per week.

F. C. ROBERTS.

Sworn to and subscribed before me this 26th day of January, 1907.
[SEAL.] WM. A. EASTERDAY,
Notary Public, District of Columbia.

And, Mr. President, here [exhibiting] are the original pay envelopes for Carrie Morgan, *8 years of age, working ten and twelve hours a day.*

"SHIPMENTS" OF CHILDREN.

There is particularly one affidavit to which I want to again call the Senate's attention, of the observation personally on a train by Mr. McKelway of a load of children being taken from Tennessee, they having been gotten by an agent from some of the other cotton mills and shipped to other portions of the South. I should like very much to have the Senate hear it.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me this day A. J. McKelway, who on oath says that in December, 1905, he was on board a train going from Knoxville, Tenn., to Spartanburg, S. C.; that he saw on board the train an immigrant agent of an immigration association of South Carolina, who was in charge of a company of about fifty people bound for the cotton mills of South Carolina, whom the agent had induced to leave their homes in western Tennessee; that the agent told him that he had made seven "*shipments*" of these people for the cotton mills from Newport, Tenn., averaging fifteen to the "shipment;" that seven more "shipments" had gone from Cleveland, Tenn.; that *there were several agents at work besides himself*, and that he had shipped personally about 500 people to the cotton mills; that he, A. J. McKelway, talked with some of the children in the company; that Harrison Swan said that he was "*going on" 10 years of age* and was going to work in the Four Mills, at Greenville, S. C.; that Charley Matthews and a little fellow with him of the same size said that they were about 9 years of age and were going to work in the mills; that the agent told him that there were a plenty of children *6 and 8 and 10 years* of age in the South Carolina mills, because their parents lied about their ages; that in the summer of 1905 the Rev. Mr. Abernethy, a Methodist minister living at Clyde, in western North Carolina, told him, A. J. McKelway, that 1,500 people had taken the train at Clyde for the South Carolina cotton mills during the preceding year.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Indiana to print certain affidavits in the RECORD without reading? The Chair hears none, and permission is granted.

Mr. BEVERIDGE. If Senators are not convinced about the testimony already given that wherever even the laws exist they are not enforced, I ask them to consider the following overwhelming proof. I ask to submit the following affidavits without reading.

I repeat that if evidence above given as to the violation of the law in States that have laws does not convince the Senate, I herewith submit, which I ask to be printed in my remarks, affidavits from reputable men and women who have in person witnessed what they swear to in the various States named in the affidavits. I hope no Senator will feel that because the law is not enforced in his particular State he is called upon to make an oration in defense of his State, because State laws do not appear to be enforced anywhere.

S. Gertrude Knight, of New York City, makes the following affidavit:

STATE OF NEW YORK, *County of New York:*

S. Gertrude Knight, of said city and county, being duly sworn, deposes and says that the children recorded in the appended pages were seen by her working in their respective homes in the manner indicated in the course of her investigation made during November and December, 1906, their ages, hours of work, and pay as set down herewith being in accordance with the statements made by the said children or by members of their families.

S. GERTRUDE KNIGHT.

Sworn and subscribed to before me this 2d day of January, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

Here is another affidavit from Mary Van Kleeck, of New York:

STATE OF NEW YORK, *County of New York:*

Mary Van Kleeck, of said city and county, being duly sworn, deposes and says that the children recorded in the appended pages were seen by her working in their respective homes in the manner indicated in the course of her investigation made during November and December, 1906, their ages, hours of work, and pay as set down herewith being in accordance with the statements made by the said children or by members of their families.

MARY VAN KLEECK.

Sworn and subscribed to before me this 2d day of January, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

Children at work.	Age.	Kind of work.	Hours.	Pay.	Comments.
1. Girl	14	Making blue roses	After school		Sister, 16, works with them. Has pulmonary tuberculosis. Father and older brother at work.
2. Girl	10	Putting petals together after mother has curled them.			
3. Girl	8				
4. Alfred C	5	Separating petals for mother to curl.	Irregular	18 cents per gross	Father at work.
5. Susie C	2½				
6. Maria C	13	Preparing petals of black roses for stems.	After school to 8 p. m.	5 cents per gross	
7. Josephine L	13	Making sprays of apple blossoms.	After school	8 cents dozen sprays, each 12 inches long.	Father a "musician." Insufficient earnings.
8. Louisa L	11				
9. Rosa L	10				
10. Maria L	9				
11. Mary L	12	Violets	1 p. m. to 10 or 11 p. m.	6 cents per gross	Kept out of school in afternoons. Father and three brothers at work.
12. Minnie P	14	Pink roses	After school	8 cents per gross	Father dead.
13. Lizzie P	11	do			
14. Eva R	11	Putting stems on white silk funeral leaves.	After school until 9 or 10 p.m.	2 cents per gross	Father a mirror maker. Drinks heavily and does not give wages to family.
15. May R	10				

Children at work.	Age.	Kind of work.	Hours.	Pay.	Comments.
16. Mary V	14	Putting daisies on sprays	After school	4 cents per dozen sprays.	Work in inner room. Window opens on shaft; very dark. Father idle. Two older children in factories.
17. Boy	11				
18. Boy	9				
19. Boy	7	Pasting petals on stems			
20. Josephine A	15	Finishing trousers	do	5 to 6 cents per pair	The mother says: "Hurry if you want to eat; no work, no eat." Father at work.
21. Frances A	10	do			
22. Josephine D	11	Finishing coats	5 a. m. to 10 p. m.	4 cents each	Kept out of school to work. Father idle.
23. Rose G	13	Finishing trousers		4 cents each	Has never been in school. Works in room where sister is dying of tuberculosis. Father sews a little.
24. Josie M	9	Finishing coats	5 a. m. to 10 p. m.	4 cents each	Kept out of school to work. Father idle.
25. Marie M	3	Finishing trousers	Very irregular	3 cents per pair	Bastes and sews on buttons, but does no steady work. She represents the learners who work steadily as soon as they are able. Father dead.
26. Sarah M	10	Finishing corduroy trousers	Until 6 p. m.	5 cents per pair	Kept out of school to sew. Father idle.
27. Philip T	8	Finishing trousers	Until 10 or 11 p. m.	3½ cents per pair	Kept out of school to sew. Has eye disease. Father works irregularly.
28. Limpia C	11	Pasting stems on green leaves	After school until 7 or 8 p. m.	2 cents per gross	Father dead.
29. Josephine	7				
30. Louis B	9	Hand sewing on gloves. Tapes under buttons and buttonholes.	After school	5 cents per gross	Father dead. Mother and 4 children in one room.
31. Mary M	11	Preparing pencil cords for card tallies.	After school until 11 or 12 p. m.	40 cents per 1,000	Father dead. Two brothers at work.
32. Jennie M	9				
33. Angelina D	11	Making roses and pasting them onto the stems.	1 p. m. to 8.30 p. m.	8 cents per gross	Sister, 18, works with them. There are ten children at home, two of whom are working. Both father and mother are living, but the father's work is not always regular. The children only go to half-session school.
34. Katrina D	8		9 to 12 a. m., 3 to 8 p. m.		
35. Angelina D	14	Making double roses	6 a. m. to 9 and 10 p. m.	25 cents per gross	All these children go to half-session school, the smallest to kindergarten. They assist their sister, aged 16, who keeps house. Mother has been dead one year. Father's work irregular; old grandfather, very feeble and ill, lives with them.
36. Josephine D		do			
37. Tony D		Pasting on stems. Carrying material from front room and putting roses in boxes when finished.	1 p. m. to 9 p. m.		
38. Frank D			do		
39. Julia R	10	Pasting stems on violets and finishing them.	3 p. m. to 9 p. m.	3½ cents per gross	Six children in this family; only one working, and the father irregular.
40. Rebecca R	15	Turning neckties right side out after the lining has been put in.	8 a. m. to 10 p. m.	10 cents per dozen	Father and stepmother work in the home at ties. Girl wanted to work out but stepmother would not let her.
41. Isabella G	13	Sewing buttons on corset covers	3 p. m. to 9 p. m.	14 cents per dozen	Assists mother, who runs ribbons in corsetcovers. Two children out of school and father working in shop.
42. Susie G	6	do	do		
43. Louise S	15	Making collars for coats	4 p. m. to 9.30 p. m.	3 cents each	Works in a factory all day and sews home evenings; 6 children; 3 work in shop with father; girl no working papers.
44. Harry D	13	Putting buckles on garters	3 p. m. to 10 and 11 p. m.	50 cents per gross	Work with mother, who supports 3 children. Father dead. One child, age 12, is very ill: partly paralyzed.
45. Abraham D	9	Putting garters on cards			

If the law could be violated in this instance, how much more certain is it violated in the great factories having vast influence, surrounded by walls carefully guarded, and whose owners have great control and social influence?

The same is true as to the facts stated in the following affidavit of Mary Sherman:

STATE OF NEW YORK,
City and County of New York, N. Y.

Mary Sherman, assistant secretary of the National Consumers' League, being duly sworn, deposes and says on information and belief, that—

Rose Petrocelli, 187 Spring street, age 12 years, attends P. S. 38; works at home on men's coats from 3.30 to 9 o'clock in the evening—sometimes 9.30.

Family in the country five years.

Father works in rag shop; makes $9 a week.

Uncle lives with them; out of work.

Grandmother and mother work on finishing coats.

There are two other children beside the child worker in the family. The little girl Rose worked last summer every day from *8.30 to 9 at night—twelve hours—sewing* on coats; she says, "I did not see the street all summer." House unlicensed.

John Burrello, 66 James street, New York City, age 11 years, attends P. S.; works at home picking nuts from 3.30 to 10 p. m. Father and brother, 18 years, both working. Grandmother, mother, and sister, 16 years, also live at home in two rooms rear tenement. The family work at home from November 15 to Christmas. House unlicensed.

MARY SHERMAN,
Consumers' League.

Sworn to before me this 7th day of January, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

Again, the same is true as to the facts stated in the affidavit of Elizabeth Butler:

CASES OF CHILD LABOR IN NEW JERSEY.

JERSEY CITY, N. J., *January 4, 1907.*

1. On the 27th day of December, 1906, I saw Greta Shult, 15 years of age, cutting out embroidered collars. She has been doing this work for the last four years. Her mother takes this work home from an embroidery factory, and the two work together twelve hours a day in a tumble-down tenement house, cutting out the edges of the embroidery. This work is a serious strain on the health of the girl, and her general health is not nearly so good as it was formerly, according to the testimony of her mother.

2. On the 20th day of November, 1906, I saw Concetta Montignaro, 8 years of age, assisting her mother in making artificial flowers. She has been doing this for the last two years. She winds the stems of the violets and gets them ready for her mother to finish. She works usually ten hours a day. The close confinement has proven injurious to her health.

3. On the 26th day of December, 1906, I saw Nettie Schroeder, 4 years of age, making kimonos on a sewing machine. Her mother is a contractor who deals in kimonas, and the child assists her in making the goods. For the last six months she has been able to sew all the long seams, sitting over the machine sometimes eight hours a day. (Testimony of mother as to number of hours and child's age.)

4. November 21, 1906, I visited the home of Mrs. Kane, on the first floor of a five-story tenement in Hoboken. Mrs. Kane makes the tassels for dance orders, preparing the silk in a twisted roll, and tying the pencils. Her four children—Harry, aged 4; Nellie, aged 6; Ethel, aged 8 and John, aged 10—work at untangling the silk and getting it ready for her to use. The youngest child works about nine hours a day at this, and the others spend their time when out of school helping their mother in her work. The hours when they work and the ages of the children here stated are given on the testimony of the mother and of Mrs. Itschner, a neighbor living in the same house.

5. October 24, 1906, I saw Madeline Frank, 15 years of age, making passamenterie. She has hip disease and was taken out of school at the age of 12, having been able up to that time to do very little studying. Her parents felt unable to support her without her contributing something toward her own support; and as she is incapacitated for working in a factory, for the last three years she has had to do this work at home. She receives the braid, stitches it according to the required design on a cardboard, presses it, stitches it into shape, removes it from the board, and winds it in rolls. This she does from twelve to fourteen hours a day. When I saw her she was pressing the work with heavy irons manifestly beyond her strength to lift and handle. Obviously the long hours of work and the nature of the work make it unfit for any child to attempt—much less a child physically disabled. Facts as to age and as to hours of work given on the testimony of Madeline and of her mother, Mrs. John Frank.

6. November 9, 1906, I saw Mary X. Jaeger, 3 years of age, assisting her mother, Mrs. William Jaeger, in making garters. Her mother stitches the garters one after another on the machine with one thread, and the child takes them one after another and cuts the threads between them. She does this eight to ten hours a day.

7. December 26, 1906, I saw Mamie Halleck, 12 years of age, cutting the threads of "string" embroidery. She and her mother sit at a long table with the breadth of the yard wide embroidery spread out between them, and together they go over it, cutting the threads between the different parts of the patterns, there being 400 threads often to a yard. In vacation time the girl works fourteen hours a day. In school time she works probably six hours a day, according to the testimony of her mother.

ELIZABETH B. BUTLER,
Executive Secretary Consumers' League of New Jersey.

Sworn to before me this 5th day of January, 1907.
[SEAL.] HENRY W. HODGES,
Notary Public No. 15½, Kings County, N. Y.

Again, I remark, if the law is violated in as humble cases as those given above, where the people are without influence and where the inspectors can easily find them, how much more certain do we know that it is violated in those mighty industries whose works are carefully protected from intrusion; whose owners have widespread political, social, and financial influence; who are known to have practiced child labor in the past, and whose financial interest it is to practice child labor now.

NONENFORCEMENT OF LAW IN PENNSYLVANIA.

Here are a number of affidavits from Scott Nearing, secretary of the Pennsylvania child-labor committee, showing nonenforcement of law in Pennsylvania:

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary Pennsylvania child-labor committee, being affirmed according to law, says that on December 19, 1906, he met, at 10.45 p. m., a number of cash girls coming from the store of Lit Brothers, at Eighth and Market streets, Philadelphia.

That the girls whose pictures are attached stated their ages as 14 and said that they had started to work at 8 a. m. that morning; that they had been given one and one-half hours for dinner and supper (three-fourths hour for each).

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary of the Pennsylvania child-labor committee, being affirmed according to law, says that the attached picture is of Sarah Hogan, who states her age as 13. She says that she has worked for one year, or thereabouts, at Tracy's woolen mill, Twenty-sixth and Spruce streets, Philadelphia. She has an affidavit, falsely sworn to, on which she works.

While at work in the mill she was caught and her arm broken six times in a machine. She may lose the arm, as it refuses to heal.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary of the Pennsylvania Child Labor Committee, being affirmed according to law, says that the attached pictures were taken of Philadelphia box-factory employees during 1906.

That the pictures numbered 1 and 2 were taken during October, 1906, at 8.45 p. m.; that these girls stated that they had worked since 7 a. m. that morning; that they had half an hour for dinner, and "five minutes for supper," and that they were working Monday, Tuesday, and Thursday evening each week till 8.30 or 9 p. m.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss*

Scott Nearing, secretary of the Pennsylvania child-labor committee, being affirmed according to law, says that during September, 1906, he visited a tailor shop on Catharine street, Philadelphia, and found Joe Bellman, a boy of 13, according to his own statement, sewing on a coat. Said Joe Bellman stated that he had been working for a year.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary Pennsylvania Child Labor Committee, being affirmed according to law, says that on December 5, 1905, he visited Harrison, N. J., and saw Frank Monoghan, whose picture is attached.

The said boy stated his age as 12, said that he had not attended school for "a couple of years," and was engaged to wash glasses in a saloon at $1.50 per week.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary of the Pennsylvania Child Labor Committee, being affirmed according to law, says that he has spent some time investigating conditions in the soft-coal mines at Morris Run, Tioga County, Pa.

That he has questioned two boys—one working in the mines, and the other coming from work in the mines—who stated their ages as 11.

That it is a common thing to have boys of 17 or 18 state that they started to work at 11, and in some cases at 9 and 10.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary of the Pennsylvania Child Labor Committee, being duly affirmed according to law, says that during July, 1906, he visited Pittsburg, Pa., and on the "Hill" saw Joe London, whose photograph is attached, who was working in a cellar on Webster street, stripping tobacco. He said he was 13.

That he saw Rosie and Goldie Berkowitz, the older girl, Rosie, stating her age as 13, who were working in a garret at manufacturing "stogies."

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

STATE OF PENNSYLVANIA, *County of Philadelphia, ss:*

Scott Nearing, secretary of the Pennsylvania child labor committee, being affirmed according to law, says that during April, 1906, he spent several days in the neighborhood of Scranton, Pa.

That at Dunmore he saw a boy, Tony Ignoso, who stated his age as "13 at Saturday," and who had worked, according to his statement, the previous summer in the Bliss silk mill at Dunmore.

That the girls sat on the window sills in said mill at Dunmore and ate lunch while the machinery kept on running, and that the "dressing room" provided according to law consisted of hooks between the windows.

That the Bliss mill at Priceberg runs night and day, and that on the night shift, in a group of five boys, two stated their age as 16, although they were brothers and not twins.

That in the same mill a girl worked on the day shift whose photograph is numbered 1 on the attached list. That she stated her age as 14, and had been working for three and one-half years in said mill. Her age when she started, she said, was 13.

SCOTT NEARING.

Affirmed and subscribed before me this 31st day of December, A. D. 1906.

[SEAL.] HENRY J. REBMAN, *Notary Public.*

(Commission expires March 13, 1909.)

Here is an affidavit as to facts ascertained by a lady whose word no man or woman in her State can question, even if she did not make an affidavit, as she does, to what she saw, and this is in the State of Illinois, which has one of the very best laws in the Union and an admirable inspection. I present the affidavit of Harriet M. Van Der Vaart:

STATE OF ILLINOIS, *County of Cook, ss:*

In the winter of 1905, for the National Child Labor Committee, I visited a number of glass factories in Indiana and Illinois. In glass factories workers alternate between day and night work. The day shift of one or two weeks will be the night shift of the following one or two weeks. Boys generally prefer night work. They can cut short the sleeping time in the day and have several hours for play. The night shift is dismissed generally at 3.30 in the morning. Coming from the intense heat around the furnaces into the cool morning air makes the workers liable to colds and pulmonary troubles. The gas, the changes in temperature, and violent exercise, such as the constant rapid walking between the furnaces and the annealing ovens, are debilitating and tend to retard growth and development. Boys who work in glass factories *as a rule* are shorter, weigh less, and in every way are not as well developed as boys living a more normal life.

The boy's work in a glass factory does not require any training or skill. The apprenticeship to the glass blowers is very long—five years—and very few boys ever become apprentices. As boys are at a premium in the glass industry, they can work a day, half a day, a night, or half the night, and it is optional with the boy whether he returns or not. In some factories it is customary to give them extra pay if they will stay the entire week and do good work. Numbers of idle boys loaf around many of the factories, work some, carry beer very often, and, as a business man told me who has a store near the large glass factory in Streator, some gamble and use language that makes the vicinity avoided.

In Indiana I found it customary for the school children to go into the factory at 6 in the evening and work until between 11 and 12, especially Thursday and Friday nights, and to work all day Saturday. I found children of 11 and 12 working at night in both States. Saloons abound in the vicinity of glass factories. In some factories beer is forbidden within the yard; in others it is not, and boys are sent after the beer by the workmen. In *all* the warmth and light of the saloon is the first temptation that presents itself to the boy as he leaves the factory, debilitated and relaxed, at 3.30 in a cold winter's morning.

Manufacturers have a great deal of difficulty in getting boys. Intelligent parents are learning that glass factories are demoralizing for boys. As a rule, it is the children of our foreign population and of ignorant parents who wish their children to work in glass factories. When I visited Alton in 1905 in going *through* the factory we did not find any violations of the child-labor law, but in visiting the homes of children who worked in the factory I was told over and over that the factory had been prepared for the visit and that all the children had been sent home the night before because they had been told the factory inspectors were coming. When I returned to the factory and told the proprietors what I had learned in the children's homes, Mr. Smith, the head of the factory, said: "But, madam, what would you do if you were a proprietor and learned the enemy was in the field; wouldn't you try to protect yourself?"

In December of this year, 1906, I visited Alton again, and, although refused admittance into the factory, I visited a number of the homes of children who worked in the factory, and over and over again found that the children were working in violation of the child-labor law of Illinois.

I was told that the factory had been inspected the week before, and the proprietors fined for violating the law. From my experience I should say that glass manufacturers are not obeying the child-labor laws we now have and are teaching children to disregard the law. *The excuse given is because of the competition in the different States.* Those with whom I have talked say there would not be any objection to stringent laws if the same laws applied to all factories in the United States.

HARRIET M. VAN DER VAART,
Chicago, Ill.

Subscribed and sworn to before me this 19th day of January, A. D. 1907.

[SEAL.] IVA G. WOODEN, *Notary Public.*

(My commission expires February 23, 1909.)

Here is another, from Elizabeth B. Butler, of New Jersey:

JANUARY 4, 1907.

December 27, 1906, I visited Mrs. Breidenkopf, in West Hoboken, N. J. She is an artificial flower maker, and her chief assistant for the last two years was her daughter Felicie, who died two months ago, at the age of 5 years. The child was as skillful a flower maker as her mother, and her mother states that in twisting the stems of violets and of small roses the child was the quicker of the two. She also, at the times of year when the flower work was slack, cut the yard embroidery, cutting sometimes 50 yards an hour. She worked from 6

o'clock in the morning until 11 at night daily. Her mother states that she had no disease, and died suddenly from no assignable cause.

ELIZABETH B. BUTLER,
Executive Secretary, Consumers' League of New Jersey.

Sworn to before me this 5th day of January, 1907.
[SEAL.] HENRY W. HODGES,
Notary Public No. 154, Kings County, N. Y.

Here are three affidavits from Owen R. Lovejoy, assistant secretary of the National Child Labor Committee, extracts of whose sparkling articles in the Outlook and Woman's Home Companion have already been given. All these deal with violations in Pennsylvania and almost at the present time:

STATE OF NEW YORK, *County of New York:*

Owen R. Lovejoy, assistant secretary of the National Child Labor Committee, of said city and county, being duly sworn, deposes and says that on May 8, 1906, in Nanticoke, Pa., he met Peter Swanbery, whose photograph is attached hereto. That said boy stated that he began working in a coal breaker during vacations at *12 years of age;* that for two years he had worked continuously until March 2, 1906; that he was 16 on December 25, 1905; that March 2, 1906, his arm was caught in the machinery of the "scraper line" and torn out at the shoulder; that after his injury the machinery in the breaker was properly guarded, and that he received no damages from the company, but was treated at the hospital in Wilkes-Barre without expense.

OWEN R. LOVEJOY.

Sworn and subscribed to before me this 7th day of January, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

STATE OF NEW YORK, *County of New York:*

Owen R. Lovejoy, assistant secretary of the National Child Labor Committee, of said city and county, being duly sworn, deposes and says that on May 14, 1906, in Banian, Clearfield County, Pa., he met Robert Richardson, a boy apparently 12 years of age and said by Miss Nellie Stoddart, public school-teacher, to be *12 years of age.* Richardson said he went to work in the mines driving a mule in the fall of 1905, 11 years, and was hurt in November. That he was run over by a car and his leg broken in two places. That he spent five weeks in the hospital in Phillipsburg, but received no compensation from the mining company because of his injuries. That his mother asserts that he is 15 years old, and he proposes to return to the mine as soon as able.

OWEN R. LOVEJOY.

Sworn and subscribed to before me this January 9, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

STATE OF NEW YORK, *County of New York:*

Owen R. Lovejoy, assistant secretary of the National Child Labor Committee, of said city and county, being duly sworn, deposes and says that on October 26, 1906, Joseph Shafer, superintendent of schools in Springdale, near Punxsutawney, Jefferson County, Pa., stated to him that Sam Madill, of Springdale, who had worked in a bituminous coal mine from about the age of *13,* had been run over in the mine by a coal car two years ago and his foot taken off and that since then he had attended school and is now employed in a post-office.

OWEN R. LOVEJOY.

Sworn and subscribed to before me this 7th day of January, 1907.
[SEAL.] E. H. OPITZ,
Notary Public for the City and County of New York.

NONENFORCEMENT OF LAW IN THE SOUTH.

Here are some from the Southern States. They are mostly by Dr. A. J. McKelway, one of the purest, bravest, and ablest men in the South, who has given his life to this great work, as Lord Shaftesbury gave his to the same work in England. Doctor McKelway is now connected with the National Child Labor Committee and is the man to whom I have already referred.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that in December, 1905, he visited the silk mills at Alexandria, Va., known as the "Clots Throwing Company." That he saw a large number of boys and girls under 14 coming out of the mill at the noon hour and returning to it. That he secured photographs of some of these children. That at least ten of them seemed to be under 12 years of age, thus being employed in violation of the Virginia law.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS, *Notary Public.*

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that in August, 1906, he visited the Asheville cotton mills, at Asheville, N. C. That he saw a number of children who appeared to be under 12, the legal age for employing children in North Carolina. That some of these children told him they were under 12, and that he took photographs of some of these children employed in the Asheville cotton mills who to all appearance were under 12 years of age.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me this 22d day of January, A. J. McKelway, who on oath says that in January, 1905, he visited a cottage rented by employees of a cotton mill at Raleigh, N. C. That he saw there a child of 12 years of age who testified, and whose testimony his mother confirmed, that he had been working in the mill *since he was 6 years old.*

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that in January, 1905, in company with a Baptist minister of Raleigh, he visited the Pilot Cotton Mills, of Raleigh, and saw several children evidently under the age of 12 years coming from the mill at the lunch hour; that the father of one of these children said *that he was 10 years* of age, this being a violation of the North Carolina law.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who, on oath, says in the fall of 1904, after the North Carolina child-labor law had gone into effect, he took an unofficial school census of the Atherton Mills village. That out of a hundred persons of school age fifty-nine were working in the mill, eight were going to school, and that thirteen children under 14 were working in the mill and four under twelve were working in the mill. That James Eli Griffith was born January 28, 1894, and was therefore not 11 years old at the time, according to the family Bible. That he was suffering at the time from a bad knife wound on his leg, an accident while he was making bands in the mill. That Eugene Broughton was 12 years old on February 4 following, his employment also being a violation of the law. That Minnie Griffith, aged 12, had been a spinner in the mill, but, according to her mother's testimony, grew too weak and sick to remain in the mill.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

This day personally before me, a notary public, came A. J. McKelway, who on oath doth say that on the 10th day of January, 1907, he visited the Belmont graded schools near Charlotte, N. C. That he found in each grade of the school except the primary grade boys and girls who had already worked in cotton mills. That in the third grade there were thirteen children who gave their names and ages and the mills in which they worked as follows:

Oscar Hargate, age 9, Old Mill, Rock Hill, S. C.; Frank Hearn, age 9, Statesville; Bertram Holmes, age 9, Louise mills; Jeb. Wallace, age 13, gingham mills; Clara Davis, age 8, Louise mills; Ernest Broadnax, age 7, Victor mills; Callie Hargett, age 11, Louise mills; Lilley James, age 10, gingham mills; Percy Brook, age 13, Louise mills; Myrtle Beam, age 13, Louise mills; Arthur Johnson, age 16, Louise mills; Grade Rion, age 12, gingham mills; Carl Davis, age 9, Calvin mills.

That four of these children claimed to have helped mothers or sister in the mills. That the principal of the school declared that it was a matter of constant complaint that the children, *often those under 12,* which is the legal age in North Carolina, left the school to work in the mills. That the school enrollment was only about one-half of the school census of the district, taken the previous year, and that the school attendance was much below the enrollment, largely because of this competition between the school and the mill.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

STATE OF GEORGIA, *County of Fulton:*

This is to certify that the attached picture contains the likeness of three of my children. They are named, respectively, Liaza Smith, *8 years* old, who has been working in the Exposition mills about two weeks; Ida Smith, *10 years old,* who has been working in the Exposition mills about four months and in other Georgia mills about two years. Altogether she has worked about *four years in cotton mills;* Nora Smith, 13 years old, who has been working in the Exposition mills about four months and in other Georgia mills about *two years.* Altogether she has worked in cotton mills *about five years.* I myself work for the Exposition Cotton Mills Company, and have one other child working in said mill. This June 26, 1905.

A. M. SMITH.

Witness:
D. A. TEDDER.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that he has in his possession the photograph referred to in the above affidavit, that he had also in his possession the original affidavit of which the above is a true copy, and that the affidavit was published in the Atlanta Journal July 3, 1905.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA,
District of Columbia, ss:

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that in the month of May or June, 1906, he visited a school taught in the village of the Milstead Manufacturing Company of Conyers, Ga.; that the school is mainly supported by the generosity of this company; that the enrollment for the year had been about *ninety,* and that the average age of those attending was 9 years, according to the testimony of the teachers in charge; that the attendance at the time of the visit was about *thirty;* that the teachers gave the names of twenty-two children who had left the school for the mill during the school term, and of these two were 12 years of age, four were *11,* three were *10, two were 9,* five were 8, and one was 7; that of the thirty children then in school eight declared that they had worked in the mill; and that he took a photograph of these children, and that the smallest does not seem to be more than *6 years old.*

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that in the summer of 1906 he visited a family employed then at the Whittier mills, near Atlanta, Ga. That he saw the mother, who had been left a widow while employed by the Milstead Manufacturing Company the year before, and that she had declared that she had taken her children as follows to work with her in the mill: Pearl, aged 16; Jeffie, 14; Clifford, 9; Loy, 7; leaving Louis, a child of 4 in charge of a baby, Aline, aged 2. That the management of the Milstead Manufacturing Company, Clifford West, then *aged 9 years*, was playing *given*, except that the name of Loy, aged 7, did not appear on the pay roll and that he only helped his mother. That according to the testimony of both Mrs. West and the management of the Milstead Manufacturing Company, Clifford West, then *aged 9 years*, was playing about an elevator and was quite badly hurt by a weight striking his head and then by being pinned to the floor by the opening of the elevator doors. That according to Mrs. West's statement she moved with these children from the Milstead Manufacturing Company to the Whittier mills in order to get the higher wages paid for night work. That at the time of this interview with Mrs. West, Clifford West, then aged *11*, was working in the Whittier mills at *night*, the rest of the family having changed to day work. That the hours of labor in Georgia for operatives of all ages is *sixty-six hours a week*, which, by reason of the half holiday on Saturday amounts to *twelve hours a day or twelve hours a night* for the first five working days of the week.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally appeared before me, a notary public, A. J. McKelway, who on oath says that he has visited a number of mills in North Carolina, South Carolina, Georgia, and Alabama in the last two years, some of which were known as model mills, and that he has never seen any mill in these States in which there was not a large number of children employed under 14, many under 12, and not a few *under 10;* that it is a matter of common knowledge in these States that the laws against the employment of children are not enforced; that there is no factory inspection nor any provision made by the States for the enforcement of the law; that he has never learned of any prosecution in any of these States for violations of the law; that in North Carolina alone, according to the report of the commissioner of labor for 1905, *sixty-six mills run at night as well as during the day;* that there are frequent accidents in the mills, children of tender years being injured by the machinery of the mills; that the children who have to breathe the atmosphere containing the flying lint of the spinning rooms suffer with throat and lung troubles and with diseases of the eyes from the same cause—the lint in the air; that according to the testimony of physicians the critical period in the life of young girls comes in the climate of these States between the *ages of 12 and 15*, and that the long continued labor of the mills at this period is often an injury to young girls for life; that the hours of labor allowed by law for children of *10 and 12 years* in these States are *sixty-six hours a week*, and that in one of these States—South Carolina—children of any age may be employed in the mills by day if the children of dependent parents.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EGGAR L. CORNELIUS,
Notary Public, District of Columbia.

STATE OF GEORGIA, *County of Fulton:*

This day personally before me, a notary public, came J. I. Williams and U. I. Davis, who, on oath, each for himself doth say that they know Ida Owens, the largest of the little girls in the annexed picture, and that she works in the mill called the "Gate City Mill," and that she has the reputation of being *8 years old;* and that they also know the four boys in the annexed picture, namely, Charley Hart, who is the largest in the picture, and has the reputation of being 10 years old; Willie Collins, the next largest, who has the reputation of being 11 years old; Ernest Driver, who has the reputation of being 10 years old, and Grady Humphries, who has the reputation of being 10 years old; and that these all work in the Gate City Cotton Mills, and that none of them are fatherless or motherless children, and that none of them are going to school, and that to the best of their knowledge and belief some of them are unable to read or write. And that they know Homer Hembree, Virgil McElroy, Ben Smith, Carlton Smith, Fasie Smith, Will Hart, Harry Hogan, Fred Hogan, Robert Gaston; and that these all work in the Gate City Cotton Mills.

J. I. WILLIAMS.
U. I. DAVIS.

Sworn to and subscribed before me this June 9, 1905.
D. M. MATHEWS,
Notary Public, Fulton County.

UNITED STATES OF AMERICA, *District of Columbia, ss:*

Personally before me, a notary public, appeared A. J. McKelway, who on oath says that he witnessed the signing of the above affidavit and had in his possession the original of which this is a true copy, and that he saw Ola Owens and took her photograph, and that she said she was 8 years old; that he took the photograph of the four boys—Charley Hart, Ernest Driver, Willie Collins, and Grady Humphreys—and that they gave their ages as they are given in the above affidavit, and that the other children and their relatives and friends testified to the ages of these children as follows: That Homer Hembree was said to be *7 years* old and had been working in the mill *about a year;* that Fasie Smith was *12* years old and had been working in the mill four years; that Will Hart was 7 or 8 years old and had been working in the mill over a week; that Fred Hogan was 8 years old and had been working in the mill when he was not sick, and that Robert Gaston was 11 years old and had been working in the mill nearly two years.

A. J. MCKELWAY.

Subscribed and sworn to before me this 22d day of January, 1907.
[SEAL.] EDGAR L. CORNELIUS,
Notary Public, District of Columbia.

RESISTANCE TO ENACTMENT OF STATE LEGISLATION.

Not only is there universal nonenforcement of law, but there has been and still is resistance to good legislation. It is notorious that wherever friends of this reform have attempted to secure legislation the interests which were profiting by the evil resisted their efforts or else defeated or impaired such laws as were passed. For example, Mr. Durland, from whom I have already extensively quoted, tells the following action of the glass manufacturers in Pennsylvania in Outlook, volume 74, on page 125:

RESISTANCE IN PENNSYLVANIA.

Yet the indifference of legislators or the lack of public pressure has resulted in a continuance of the system, with never a strong hand raised in protest. As soon as the Western Association of Glass Manufacturers saw that a bill had been introduced to abolish night work, a committee was appointed to go to Harrisburg and prevent the enactment of any legislation this session. These manufacturers are reported to have adopted resolutions denouncing and ridiculing that section of the bill which provided that children must learn to read and write English before beginning to work. It was the influence of this organization that helped to keep in office as chief factory inspector for several years Mr. James Campbell. Mr. Campbel it was who had been an advocate of the glass manufacturers at all hearings on the glass tariff before the Committee on Ways and Means at Washington. Mr. Campbell it was who, in speaking in Pittsburg last October, before the Mothers' Congress, said that Pennsylvania suffers from the excessive education of workingmen's children. This is the theory that some of Mr. Campbell's subordinates have been fond of upholding of late. As recently as March, at a meeting of the Civic Club in Philadelphia, a late factory inspector urged the same point. But Mr. Campbell has been removed by Governor Pennypacker, and his successor promises a more enlightened policy. These are the kind of men who do not even pretend to enforce existing laws. As Judge Gray further remarks, "Some of the laws in the anthracite region are little better than dead letters." Endless excuses are advanced for this laxity, but there is little validity in any of them.

Mrs. Kelley tells of resistance to the passage of legislation in one or two States in her book entitled "Some Ethical Gains Through Legislation." On pages 53 and 54 she says:

RESISTANCE IN ILLINOIS.

Although the manufacture of glass is one of the industries most highly protected by the tariff for many years past and although the wages of glass blowers are protected by a most influential and all-embracing union, yet employers and glass blowers have in at least two States worked together to keep the children from receiving any adequate legislative protection. In Illinois for ten years the glass manufacturers were successful in their unwearying efforts to prevent the enactment of a provision restricting night work to persons over the age of 16 years. And even when the present enlightened measure was finally passed, in 1903, this was done against the protest of the manufacturers and of a glass-bottle blower who appeared before the senate committee at Springfield in opposition to the bill. In New Jersey, in 1904, there was the same conflict, the glass-bottle blowers' union, as such, urging the passage of a law prohibiting night work for children and the glass manufacturers nevertheless securing for the opposition the support of a State senator at Trenton who had once been a blower and who succeeded in getting stricken out of the bill this most valuable of its provisions, despite the united efforts of the labor organizations of the whole State and of the Children's Protective Alliance, comprising forty societies for the protection and welfare of children.

In Pennsylvania, in March, 1903, the Western Pennsylvania Association of Glass Manufacturers voted at a public meeting held in Pittsburg to keep a committee at Harrisburg throughout the session of the legislature to prevent the enactment of a measure prohibiting night work for children and all employment of illiterate children. So successful was this committee that the friends of the bill were not even granted a hearing before the senate committee to which the bill was referred. In all these cases the arguments used were identical. Poverty must not be intensified by prohibiting the employment even of the youngest and most illiterate children.

Fortunately the friends of the working children have at last succeeded in bringing to light the hypocrisy of this plea. It has been shown that for a series of years the glass manufacturers of New Jersey and Ohio have imported children from other States. Charitable institutions and child-placing agencies have been appealed to to furnish detached boys and have done so in more than one case. Children have been sent from one State to another to meet the demand.

Miss Ashby, in the World's Work, volume 2, page 1293, says in her article on "Child Labor in Southern Cotton Mills" concerning resistance to legislation:

RESISTANCE IN ALABAMA.

The strongest objection to preventive legislation is, of course, the desire for cheap labor. To the shame of the northern capitalist be it said, he has carefully fostered this superstition in order to obtain the cheap and submissive labor that he believes children give. In 1887 a law was passed in Alabama limiting the hours of children's work in factories to eight a day.

At the instigation of Massachusetts mill owners this law was repealed in December, 1894, on their promise that these mill owners would establish a factory in Alabama. To-day the mills thus established are working at least fifty children under 12 years old for eleven and three-quarters hours a day. It is difficult to see the exact benefit to Alabama, since all the capital in the Alabama City mills is northern and eastern and the dividends go out of the State.

The village is a beautiful one, managed with much moral and sanitary severity, but no seeming philanthropies, such as natatoriums, churches, the libraries (for people who can not even read), can atone for this deliberate demoralization of the southern conscience and injury to the future of her industries by those who in their own State are forbidden to work children by the best factory laws in the world. In Massachusetts no child may go into the mills under 14, and only then after having attended school for at least a year.

This is not an isolated instance. Much of the opposition to the passage of a protective law to the southern legislatures is made by the representatives of northern corporations, who are taking full advantage of the possibility of child labor. In eleven mills I visited owned by northern capital there were twice as many children under 12 as in thirteen owned by southern capital.

The total number of children under 12 in the mills of Alabama (including the unpaid "helpers") I computed to be about 1,200. This

number is not stationary or diminishing; on the contrary, it is steadily increasing, and the experience of the other Southern States proves that it must be so. In one of the olders mills they told me that the children were younger and more numerous than they had ever had them before.

Again she says on page 1294:

In Augusta, Ga., a count was made in June, 1900, through 8 mills, and 556 children under 12 were found working. In South Carolina Mr. John B. Cleveland, president of the Whitney mills, giving evidence before the legislature, stated that 30 per cent of the operatives in the Whitney mills were under 12, and Mr. James L. Orr, president of the Piedmont mills, South Carolina, that 25 per cent of his machinery was run by such children. The statement sometimes made, that the number of children affected is so small that it is not worth public attention, is not borne out by these figures, nor by the fact that in Georgia as many as 30 mill presidents appeared before the legislature to defeat the child-labor bill there.

Again, on page 1295, she says:

Northern and southern capitalists should be warned by their work people in the North and their fellow-citizens to withdraw their opposition to the passage of such a law.

The opposition at present is immense. When I returned from my tour of investigation in Alabama I found the whole community, except those directly interested financially in cotton mills, on my side. The press, the pulpit, the schools, the women in their various clubs took the matter up. A bill was presented at the second session of the Alabama legislature, in the upper and lower houses, by gentlemen who had no connection with the labor movement.

The mill *owners immediately engaged two able lawyers, who were also professional lobbyists, to deal with the members of the legislature* on the subject. Representatives were warned that the local bills they had been sent up to pass would have small prospect of success should they vote for a child-labor law.

At a hearing before the joint committees of the house and senate the senate chamber was packed to overflowing. The mill owners' interests were represented by a lawyer who was also the president of a cotton mill, the owners of which are "philanthropic" northern people—a corporation clergyman and a railway attorney.

None of *these men ever touched on the pros and cons of child* labor. The sincerity of their arguments may be gauged by their bringing forward a miserable little petition against the bill, written on the official paper of a very small mill, and signed by seventeen of its operatives.

The hearing was simply a public bluff. It appears that the rejection of the bill *had been settled before in spite of public excitement* upon the question. Similar defeats were recently experienced in Georgia and South Carolina, where the educated women have been making gallant efforts to get the need for child-labor legislation recognized.

THE FIGHT IN NORTH CAROLINA.

Here is what Doctor Roberts says in Outlook, volume 78, September–December, 1904, pages 982–984:

No child under 13 years of age can, according to law, be regularly employed, but in every industrial center where children are to any extent employed the consensus of opinion among labor leaders and professional men is that the law is evaded. A labor leader in Lancaster said: "I'll swear by a stack of Bibles as high as the Lutheran Church that there are scores of children under 13 years of age in these factories." In Allentown child labor is at a premium, while men walk the streets unable to get work. A silk manufacturer of this city said: "All silk-throwing plants ought to get out of Allentown, for child labor is too scarce." In Reading a hosiery manufacturer said: "We can not get all the boys and girls we need in our factories." Employers when asked, "Do parents try to secure employment to children under age?" invariably answered, "Yes." Superintendents of public schools in centers of textile industries are uniform in their testimony that a certain percentage of parents take their children from school when they are only 10, 11, or 12 years of age and send them to the factory or mill. Physicians who practice among employees in mills and factories are unanimous in their testimony that children are employed before they are 13 years of age. Lawyer Craig, of Lebanon, said: "Stop ignorant and greedy parents from committing perjury when they take out certificates of employment to their children." Doctor Davies, of Lancaster, said: "Execute the laws now in force before you attempt to pass others."

Is this expression of public sentiment justified? In every industrial center there are humane and patriotic employers, but they must compete with sinister and heartless men who regard all consideration for tender children seeking employment as "sentiment," which has no place in business relations. In every large city there are factories of ill repute, wherein conditions are wretched, wages low, and the moral atmosphere degrading. I visited one of these where 600 employees labored, 65 per cent of whom were under 16 years of age. Six months ago a strike had occurred in this factory. I asked a boy 17 years old if they had won it. His reply was, "No; the kids defeated us." Among these employees it would be easy to select a score or two of boys and girls under 13 years. The deputy factory inspector has sent home as many as thirty employees from this mill in one day, but within a week most of them were back again. The two wards from which the employer draws his labor supply are the most congested in the city, and one of them is being rapidly filled by an influx of Slavs and Italians. A public school superintendent, who has taught in these two wards for fifteen years, said: "It is an impossibility to stop the exodus of boys and girls to the mills before they are 13 years of age." He had conducted night schools for many years in these wards, and 50 per cent of the boys attending them were doing primary work. In the town of Freeland I met three sisters coming home from the silk mill; each of them began work when she was 12 years of age. The superintendent of public schools in this borough said: "Boys and girls leave my schools in large numbers from 10 to 12 years of age. Some leave before they are 10 years." In my visit through silk and hoisery mills, rope and school-slate factories, cigar and candy establishments, I saw anæmic children under the legal age, with frail constitutions, working sixty hours a week. Some of these were stunted and deformed, whom competent physicians would send to hospitals rather than have them work ten hours a day in a vitiated atmosphere for 3 cents an hour

Do not factory inspectors know this? Yes; but their hands are tied by political influence. When Gus Egolf, of Norristown, was appointed deputy factory inspector last June, he turned out in one week 200 children illegally employed in his district. In one borough of 8,000 population he sent home 50 children from factories. When Deputy Factory Inspector Betchel was appointed last June, over 500 children illegally employed were found in Berks County alone. In one borough he sent home 45 children from 9 to 12 years who were employed contrary to law. He prosecuted the mayor of the city of Reading for illegally giving two boys certificates of employment. The mayor paid a fine of $31. He also successfully prosecuted an alderman for the same offense in the same city. In another city the factory inspector tried to prosecute an alderman who issued certificates of employment to children not legally qualified to work. He did not succeed, for the reason that no justice of the peace would try a "brother officer." One factory inspector candidly admitted that he could not discharge his duties in the town in which he resided. If he did, he would commit political suicide within six months. Another factory inspector successfully prosecuted an influential employer. The suit cost the employer $400 and the inspector his office. The Central Labor Union of Lancaster prosecuted the leading factory in the city for employing children contrary to law. The case has never been tried, and the officers of the union can not find out the reason why. Sometimes factory inspectors "strain at a gnat and swallow a camel." A poor organ grinder in one of our cities was fined $25 and costs for employing a boy not 13 years of age to help him. In the same city a factory wherein 900 persons labor has from 50 to 60 children employed contrary to law, but this transgressor has not been prosecuted. Another storekeeper was prosecuted for employing a girl under 13 years of age, and in the same city scores of girls are employed under that age, and nothing is done about it. The heads of large factories are invariably a power in the politics of the town or city wherein they reside, and the factory inspectors are appointees of the "machine."

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Some employers transgress the factory laws of the State in working children under 16 years of age and adult females more than sixty hours a week. The chief transgressors in this respect are the silk and hosiery mills, the cigar, school slates, box, and umbrella factories. These industries have their busy seasons, during which the employees work overtime. In one factory little girls were kept working from 1 o'clock till 8 without respite—a continuous stretch of seven hours. Sometimes one department in a large factory falls behind the others, and the employer offers a premium to the employees to "catch up." Under this pressure I saw boys under 15 years of age working fourteen hours a day. The mother of three young girls who worked overtime said: "It's from bed to work and from work to bed." These children got up at 6 o'clock in the morning and worked till 8 o'clock in the evening. When questioned about the time they had for the noonday meal and how they used it, one of the girls said: "I take a nap, when I can, on the bales."

Spargo says this on violation of law, on page 168:

In the canning and preservation of fish, fruit, and vegetables mere babies are employed during the busy season. In more than one canning factory in New York State I have seen children of 6 and 7 years of age working at 2 o'clock in the morning. In Oneida Mr. William English Walling, formerly a factory inspector of Illinois, found one child 4 years old who earned 19 cents in an afternoon stringing beans, and other children from 7 to 10 years of age. There are over 500 canning factories in New York State, but the census of 1900 gives the number of children employed under 16 years of age as 219. This is merely another illustration of the deceptiveness of the statistics which are gathered at so much expense. The agent of the New York Child Labor Committee was told by the foreman of one factory that there were 300 children under 14 years of age in that one factory! In Syracuse it was a matter of complaint in the season of 1904 on the part of the children that "the factories will not take you *unless you are 8 years old.*"

In Maryland there are absolutely no restrictions placed upon the employment of children in canneries. They may be employed at any age, by day or night, for as many hours as the employers choose or the children can stand and keep awake. In Oxford, Md., I saw a tiny girl, 7 years old, who had worked for twelve hours in an oyster-canning factory, and I was told that such cases were common. There were 290 canning establishments in the State of Maryland in 1900, all of them employing young children absolutely without legal restriction. And I fear that it must be added with little or no moral restriction either. Where regard for child life does not express itself in humane laws for its preservation, it may generally be presumed to be nonexistent.

In Maine the age limit for employment is 12 years. Children of that age may be employed by day or night, provided that girls under 18 and boys under 16 are not permitted to work more than ten hours in the twenty-four or sixty hours in a week. In 1900 there were 117 establishments engaged in the preservation and canning of fish. Small herrings are canned and placed upon the market as "sardines." This industry is principally confined to the Atlantic coast towns—Lubec and Eastport, in Washington County, being the main centers. I can not speak of this industry from personal investigation, but information received from competent and trustworthy sources gives me the impression that child slavery nowhere assumes a worse form than in the "sardine" canneries of Maine. Says one of my correspondents in a private letter: "In the rush season fathers, mothers, older children, and babies work from early morn till night—from dawn till dark, in fact. You will scarcely believe me, perhaps, when I say and babies, but it is literally true. I've seen them in the present season no more than 4 or 5 years old working hard and beaten when they lagged. As you may suppose, being out here, far away from the center of the State, we are not much troubled by factory inspection. I have read about the conditions in the southern mills, but nothing I have read equals for sheer brutality what I see right here in Washington County.

At the last session of the legislature of North Carolina a determined effort was made to perfect the absurdly inadequate law of that State. This was led by Dr. A. J. McKelway, whose affidavits you have heard, and who is a resident and one of the most esteemed citizens of that Commonwealth. The manufacturers had resisted all previous attempts to get a good law, which resistance resulted in the present inefficient statute.

The effort to make the law general and provide for compulsory education was as bitterly resisted by the mill owners at the last session of the North Carolina legislature as similar interests resisted compulsory education and good law in West Virginia.

I here insert some of the statements made by these mill owners, without giving their names, for I do not want to sub-

ject them to public condemnation unless they compel it. I read, however, from the stenographer's notes of the hearing before the legislative committee. One of them said:

In the first place the employees themselves can not do without the wages they earn in the mills; in the next place, the mills of North Carolina can not do without the help. That is all there is to it. You may go into any mill, I do not care where it is, and you will find the proprietors doing all they can to help the cause of education.

* * * * * * *

I will tell you how it was last year with the mill people. Why, the farmers took the children and put them to work on their farms picking cotton. The law has nothing to do with picking cotton.

* * * * * * *

I want to say that England is still reaching out for more cotton. She is building more cotton mills. She is mistress of the sea. She has got more consumers than any Nation on earth; and yet she is doing everything she can to get more of these people in the cotton mills, and they are going there—building more mills every year.

If it has had such a terrible effect in reducing the stature of the men so that the army could not be recruited, what I would like to know is why are they building more cotton mills and why are they going to all parts of the globe and doing everything to get the cotton into England? It seems to me there is no common sense in that argument.

Another mill owner said:

I do not think that the legislature of North Carolina ought ever to undertake any class legislation. As a principle, I believe it is wrong. However, we see the recurrence of this trouble in two years, and we will have it every two years hereafter, *as we have it up North.*

* * * * * * *

We find out who will go to school, and we get in extra help and turn out the little fellows who will go to school and send them to school. This is the best we can do, and all we can do. But we do not want *laws that force some of our people, and will make them move back to their farms because they can not get support at the mill.*

Enact this law, and it results that a great number of my people can not make a living at the mill and will have to go back to their farms or get out of the range of the law BY MOVING TO SOUTH CAROLINA WHERE THEY ARE NOT TAMPERED WITH.

* * * * * * *

Our conditions can not be compared with the Eastern States. We down here use more small labor, more cheap labor than they can use in the Eastern States, for the simple reason that we are spinners of yarn down here, largely, and those people up there are consumers of yarn. We spin—the boys and the girls spin the yarn and the women and the men run the looms and the knitting machines. That is the difference.

Another mill owner said:

Of course the edict of the Almighty is "By the sweat of thy brow thou shalt get thy bread." That is that the large majority of the people shall always be simply working people, that a man who has nothing whatever but his right hand to work for him and for his wife and children has a very hard time in this world.

* * * * * * *

The sentiment that gives so much force to the idea which Doctor McKelway represents comes from the class that sleeps late in the morning—professors, teachers, and ladies who have time to cultivate their *kindness of heart*, and they get in the habit of sleeping late in the morning, and they get in the habit of thinking that a man who has to get up at 5 o'clock in the morning is a very much downtrodden person.

Of course, this mill owner is right—it is a fine thing for a *child* to get up at 5 o'clock in the morning and work *twelve* hours, *standing* all the time.

Another mill owner said:

It will ruin the mill interests of North Carolina. I say again, gentlemen, from a Democratic standpoint, *it is wisdom for you* gentlemen to let the bill stand as it is.

It was "*wisdom*" from a Democratic standpoint "*to* let the law stand," said this mill owner at this hearing of the North Carolina legislature, and they were "*wise*"—*they* let *it stand.*

Another mill owner said:

And *it was a distinct understanding* that if the compromise were made, we would not be brought here for years and years to come. It was well known upon that occasion, gentlemen, and it was argued upon that occasion, that it was unnecessary to enact laws, to make laws, binding upon the textile mills of North Carolina.

* * * * * * *

I say to you, gentlemen, that the mill industry of North Carolina represents the "best people" of North Carolina.

"Best people" again, you see; only this time they are not in Georgia but in North Carolina.

I say to you, gentlemen, that there is no doubt as to their intention to help. I say to you, gentlemen, that it was *unwise two years ago to have enacted any legislation at all.* But we bowed our heads in humble submission to your will, *with the distinct understanding* that we were to have no further legislation upon this point.

You see this mill owner didn't want any legislation at all, and he actually "*submitted*" to the law upon the "*understanding*" that no more laws would ever be passed.

This same mill owner goes on:

Now, gentlemen, I have investigated this matter and I say that if the McKelway bill is passed that it will clog the wheels of industry in North Carolina for ever and ever. I say, gentlemen, that you must come down to this in a practical, common-sense way and investigate what effect it would have on the mills of North Carolina not to allow children of 13 to work in the mills; estimate what it would have not to allow children of 16 years of age to work at night. I say to you when you take that little boy out of the mill, take the little spinner out of the mill, *you might as well sweep that mill out of existence.*

* * * * * * *

And I say to you, furthermore, that it is not hardly possible that South Carolina will crowd out her mills. And what will the people at Rockingham, Charlotte, and those other towns that are near to McCall and Columbia—what will these mills do? *Their help will leave our mills and flock to this other State where they can find employment for their children.*

That's the heart of the whole trouble with the States stopping this infamy. If one does and another don't, the mill owners of the latter get the children of the former.

But I ask you *for God's sake*—

Think of that appeal—

I ask you for the sake of these little children whom He is supposed to represent; I ask you for the sake of the men who have their money interested in this business; I ask you for the sake of the *future interests* in your grand old State of North Carolina to *sit down on every bill they ever propose to you*, and let these mill men go to their respective homes with the feeling that they will not every two years have the sword of Damocles over their necks.

Well, the North Carolina legislature could not resist such an appeal as that, of course. Who could?

Another mill owner says:

Now, Mr. Chairman and gentlemen of the committee, if the State of North Carolina is a better guardian of the girls and boys of North Carolina than their own parents, their own flesh and blood, why stop at the cotton-mill operatives? Why single them out? Let us pass a bill here that no girl under 14 years old shall run a sewing machine. Let us pass one that none shall use a typewriter; that no girl under 14 shall be a clerk in a store or be a stenographer. Are they not as much objects of the care and solicitude of the State of North Carolina as the factory girls? Why this discrimination? Why are they singled out?

* * * * * * *

Now, I know it is a fad to say that everything must give way to education. I can afford to say something about education, because I have always been a friend to education.

* * * * * * *

There is such a thing as carrying it [*education*] *too far.* There are other things in North Carolina it is your duty to face besides this [education]. There are the *mill interests* in North Carolina that ought to be considered. No State can be great, no State can hold any influence in this world, unless it is materially great.

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And you can not have education without prosperity. *Now this is education gone mad.* You are about to sacrifice everything to *education.* I admit that young girls between 12 and 14 are at a critical point of their lives. There is no doubt about that. But, gentlemen, do you know that *working in mills is not harder on them than other work that they have to do?*

Notwithstanding the immense space taken up thus far, I can not resist the summing up of the whole thing by quoting from Miss Irene Ashby's article in the American Federationist, striking out of it every sentimental expression which this tender-hearted and brave-souled woman used. Senators may see the picture of this lady surrounded by the children whom she found in these mills with their lives being ruined. You may judge for yourselves from that fine face, and from the miserable faces of the children beside her, what a brave and high-souled woman Miss Ashby is and how infamous the system that would oppress the children which the photograph shows us here.

CHILD LIFE VS. DIVIDENDS.

[Irene Ashby-Macfadyen.]

Here are three of them—three of the little slaves of capital, typical of the 20,000 children under 14 now toiling out their lives in the textile mills of the South. Mattie, the little one standing beside me, is *6 years* old. She is a spinner. Inside a cotton mill for *twelve hours* a day she stands in the 4-foot passageway between the spinning frames where the cotton is spun from coarser into fine threads. As it comes down from the roping above now and then it breaks at some part of the long frame, and her baby fingers join the thread and set the bobbin moving again. From *daylight to dark* she is in the midst of the ceaseless throb and racket of machinery. When I first met her *it was Christmas Eve*—the eve of the children's festival, when the whole of Christendom celebrates the birth of the Child whose coming was to bring freedom to mankind, not to speak of freedom to children. *She was crying*, and when I asked the reason, said, between her sobs, that she wanted a doll that would open and shut its eyes. "When would you play with it?" I asked the little toiler, whose weary eyelids were ready to close over her tired eyes directly the long day's work was over.

"I should have time a-plenty on Sunday," replied the little slave whose daily wage of *10 cents* helped to swell the family income. There are thousands like her in the South.

Sally is *only 9.* Look into her worn face; not a trace of childhood's glad insouciance about it. It never changes from that fixed expression save when a wan smile crosses it in pitiful response to a kind word. For three long years she has done the same thing that little Mattie is only beginning. A few weeks before this picture was taken she broke down completely *with nervous collapse.* Continuous work, the hot, unhealthy mill atmosphere, proved too much for her childish brain. She could neither *stand nor speak*, and her *limbs were shaken by convulsive movements.* When this picture was taken she was slowly regaining a feeble kind of health, and in a week or two more would be back at her endless toil. There are thousands like *her* in the South.

I do not know how old Jack is. He does not know himself. He does not know anything *except that he has worked since he can remember.* I think he may be about 11.

The only sign of interest in life he ever exhibits is shown when an orange is offered to him. There are thousands like *him* in the South.

That is the horror and wrong which is hidden behind the cold, printed words "child labor legislation."

These are American children, dragged into the mills when scarcely out of their babyhood, without education, without opportunity, being robbed of health, morally and physically; forced to labor as in the days of negro slavery negro children never were. With their baby

hands these little slaves are undermining the liberties of the future, not only of the cotton operatives of the South, but of the American working people; not only of the working people, but of the community in which they, for good or evil, are to play so large a part.

And what is the universal reply to your question "Why are they there?"

They are there, it is said "to attract northern capital"—a scathing comment on both those who sell and those who ask the sale. * * *

Take the number of children employed. Statistics are very difficult to obtain. * * *

There is but one of the Southern States in which there is a labor commission—North Carolina. Mr. B. R. Lacey, as labor commissioner, gives in his last report 7,605 children under 14 employed in 261 mills. Taking this as a general average would give at least 20,000 children under 14 in the textile mills of the South.

The Cincinnati Post recently sent a correspondent through the South to investigate the subject of child labor, simply as a matter of news, and particularly cautioned him not to exaggerate. Out of at least 1,000 children employed in five mills in Columbia, S. C., he estimates *400 to be under 12 years of age*. Applying this proportion to the above figures would give, at the very lowest computation, 8,000 little children, infants, between *6 and 12*, as operatives. He spoke personally to numbers of children who said they *were 7 and 8*, and others who were so *little they did not know their own ages*.

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The Associated Press reported the president of the Whitney mills as stating before the legislature that 30 per cent of his operatives were *under 12 years*, which percentage, he says, referred only to the spinning room; but that is startling enough. James K. Orr stated that 25 per cent of his machinery was run *by children under 12 years*. These cold percentages do not give an adequate expression of their meaning. To the horrified visitor the mills *appear to be swarming with little children*. The light and easy work of which the managers speak is to stand on their feet all day before a spinning frame, where the threads may break at one end or the other or in the middle at any moment, and when the thread breaks the spool stops and the thread is to be rejoined and the spool started again.

A baby has one frame to attend to, but most have two, many have three, and some have four or five. The boys are generally doffers or sweepers—that is, they have to change the bobbins on the frames as they become full and substitute empty ones. In the exercise of their work they often *run 16 or 17 miles a day with their trucks*. The little sweeper plies a broom bigger than himself to perform these actions, trivial in themselves, *uninterruptedly for twelve hours a day* on the average, with only *one-half hour* for rest and food. * * *

Without regulation of hours there is no reason to prevent the mills working at night, and when they can do so profitably they avail themselves of this permission. I have talked with a little boy of 7 *years* who worked for *forty nights* in Alabama, and another child *not 9 years old* who at *6 years old* had been on the night shift *eleven months*.

A clerk in a cotton mill told me that little boys turned out at *2 in the morning* for some trivial fault, afraid to go home, would beg him to allow them to go to sleep on the office floor.

In Georgia it is *a common sight* to see the children of cotton operatives stretched on the bed dressed as they came from the mills in the morning, too weary to do anything but fling themselves down for rest.

In South Carolina Miss Jane Addams, of Chicago, found a child of 5 working at night in the fine, large, new mills. Only a few weeks ago I stood *at 10.30 at night* in a mill in Columbia, S. C., controlled and owned by northern capital, where children *who did not know their own ages* were working *from 6 p. m. to 6 a. m.*, without a *moment for rest or food, or a single cessation of the maddening racket of the machinery*, in an atmosphere insanitary and clouded with humidity and lint.

SLAUGHTER OF INNOCENTS.

The physical, mental, and moral effect of these long hours of toil and confinement on the children is indescribably sad. Mill children are so stunted that every foreman, as you enter the mill, will tell you *that you can not judge their ages*. Children may *look*, he says, to be 11 or 11, and be in reality 14 or 15.

A horrible form of dropsy occurs among the children. A doctor in a city mill, who has made a special study of the subject, tells me that 10 per cent of the children who go to work before 12 years of age, after five years contract active consumption. The lint forms in their lungs a perfect cultivating medium for tuberculosis, while the change from the hot atmosphere of the mill to the chill night or morning air often brings on pneumonia, which frequently, if not the cause of death, is a forerunner of consumption.

How sternly the "pound of flesh" is insisted on by the various employers is illustrated by the case of two little boys of *9 and 11*, who had to walk *3 miles* to work on the *night* shift *for twelve hours*. One night they were *five minutes* late and were shut out, having to tramp the whole 3 miles back again. The number of accidents to those poor little ones, who do not know the dangers of machinery, is appalling.

In Huntsville, Ala., in January, just before I was there, a child of 8 years, who had been a few weeks in the mills, lost the index and middle finger of her right hand. A child of 7 had lost her thumb a year previously.

In one mill city in the South a doctor told a friend that he had personally amputated *more than a hundred babies' fingers* mangled in the mill. A cotton merchant in Atlanta told me he had frequently seen mill children *without fingers or thumb* and sometimes *without the whole hand*.

So frequent are these accidents that in some mills applicants for employment have to sign a contract that in case of injury in the mill the company will not be held responsible, and parents or guardians sign for minors.

No mill children look healthy. Anyone that does by chance, you are sure to find out, has but recently begun work. They are characterized by extreme pallor and an aged, worn expression infinitely pitiful and incongruous in a child's face. * * * There is unfortunately no question as to the physical debasement of the mill child.

In the finest mill in Columbia, S. C., a magnificent example of splendid enterprise, I found a tiny girl of 5 years old in the *spinning room*. Her sunbonnet had fallen back onto her neck and her fair hair was covered with the threads that had fallen back on her head from the frame as she worked. She was helper to her sister. *Neither child knew her age*, but a girl of 8, standing near, told me they were 7 and 5, and worked there all day long. A beautiful little girl of 8, with hectic flush, told me she "hadn't worked *but a year*."

All holidays are "*made up*" in South Carolina. A strike occurred at one mill among some organized employees because they were required to make up Labor Day beforehand. They were locked out and starved into submission.

In Alabama the children in the mills are *required to work Thanksgiving Day*.

In Georgia a child missing Saturday—a short day—*loses one-sixth of her week's wages*.

The wages paid these children bear out what I have said in regard to child labor keeping wages low. *Many toil for 10 cents a day.*

The average wage in North Carolina of the children *under 14* is *22 cents a day*, and in Georgia *25 cents* is a liberal estimate. The Post correspondent gives a sample pay roll, showing an average of $1.43 a week in a certain spinning room for all children employed. I know of babies working *for 5* and *6 cents a day*. The girl of 9 I mentioned who has worked at night, when *6* years old *received 12½ cents* a night, and now earns $4.16 every two weeks. The two boys who walked *3 miles* to their work received *12 and 15 cents a night*.

In South Carolina the wages paid to children seem slightly higher. It is a significant fact that the last census figures show a drop in the average wages of cotton operatives during the past twenty years, although there is a slight rise in wages of children under 16. These figures also show that a smaller part of the labor of cotton mills was done by men in 1900 than in 1890, while children under 16 increased *over 250 per cent*, and women just over 100 per cent in that period.

Child labor has increased beyond all proportion to labor of men and women, and while dividends *average 35 per cent*, and sometimes rise as high as *80 or 90 per cent*, and in Columbia, S. C., run from *18 to 40 per cent*, the average wage is steadily dropping.

In one large mill worked by northern capital, in Alabama, a widow and three children, the latter aged, respectively, *12, 9, and 8*, worked for 47 cents a day *between them*.

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I know of a man in Alabama who was paid 45 cents a day, and numbers in South Carolina, Georgia, and Alabama who earn from 60 to 75 cents a day. In South Carolina the coupon system is still used by the mills. Recent photographs taken in South Carolina show pay bags in which the whole cash was deducted for coupons, rent, and medicine.

One operative is known to have worked for fourteen months without receiving a penny in cash, and of course the coupons are only good at the company's stores, where any price the company sees fit can be charged for the necessaries of life.

These wages and the condition of helplessness they indicate can only be perpetuated among very ignorant operatives, dependent on their work in the mills for the barest livelihood, incapable of organization, and terrorized into silence. This explains the *carelessness of mill owners in regard to the most serious result of child labor—illiteracy*.

Common sense tells us that children working *ten or twelve hours* a day can not get an education, and experience confirms this. In my personal investigations I scarcely ever found a mill child who *could read or write. Few knew their letters.*

A count made a year ago in August showed 567 children under *12 working in eight mills*. Of these, only *122 could read or write*.

* * * * * * *

The mills claim to educate the children of the communities under their charge, and in a few exceptional cases they do, but in others their claim is not borne out by facts. In a large mill in South Carolina, where they say they have all school facilities, the entire enrollment of the village, containing between 6,000 and 8,000 persons, was *109* last February, and in another mill, making the same claim, there was an enrollment of *90* pupils. They were divided into two classes. When the school was visited twenty-two children were in one of these, only twelve of whom were mill employees' children, and ten had worked in the mills from one to three years. The teacher stated that the children were frequently sent for by the management to come into the spinning room out of school, and that in one room eight had been so recalled since the beginning of that school term.

I know of a mill in Alabama, owned entirely by northern capital, where two children of *9 and 11* were so recalled into the spinning room every time they ventured to take a few days at school, the girl never getting any education except when she was too sickly to work, while a boy was too weary after his day's "doffing" ever to go to night school.

The night-school teachers in Georgia, Alabama, and South Carolina all say it is *impossible to teach the children much*. They are too physically weary and sometimes can not keep awake.

It is a serious charge to make that the mill owners of the South, a cultured and frequently religious class, are perpetuating this horrible system, but I am afraid there is no doubt of it. I started my investigations with a good deal of sympathy with these captains of industry, who are facing all the risks of the establishment and upbuilding of a great trade. The personal courtesy and kindness many of them showed me almost blinded me at first to the meaning of their opposition to the enactment of any child-labor law. My sympathy, however, has been worn very thin by the deceptions and evasions to which they lend themselves on this subject. Some, no doubt, honestly believe in the validity of the reasons they advance for child labor—it is so easy to believe a theory very much to our own interest—but the majority know better, especially men from the North and East. In my story of the campaign I show some of the unworthy methods of delaying agitation for which the mill interest, as a whole, is responsible.

I must deal now with specific cases which are not isolated, *but typical*. The mill owners blame "the idle parent" for child labor and complain that they are helpless against the determination of these people to work their children. With the wages they are paid it is difficult for them to live without employing their children, but apart from this they are often *practically obliged to by the management*.

A mill largely owned by northern capital recently sent an agent into the surrounding country to collect labor for the newly built portion of the factory. Men were induced to sell their little farms by promises of *free schools for their children*, a free nursery for the babies, a free library, and plenty of good work at good wages. The free nursery was opened for two months by some ladies and, receiving no support from the *mill, was closed*. The free library consisted in two boxes of books *never unpacked*.

The good wages were such as the 47 cents per day that same mill paid to the widow and her three children. Moreover, before obtaining a house these homeless people had to *sign a contract giving permission for their children to work*. * * *

Accidents are buried in oblivion. A photograph of a child's maimed hand was taken for a newspaper by a local photographer. Next day the partner of the doctor who allowed the picture to be taken had the plate smashed. It was given out that the exposure had not been a success.

CAMPAIGN FOR CHILD-LABOR LEGISLATION.

For eighteen months I have acted as the special agent of the American Federation of Labor on child-labor legislation in the Southern States.

In December, 1900, at the request of President Gompers, of the American Federation of Labor, I went to Alabama to gain support for a bill for the prevention of the employment of children in the factories of that State.

As I recounted in my report of that campaign, the bill, the passage of which I was sent to assist, was dead before I reached Montgomery. Technically, this ended my mission; morally, it did not. If the evil was there, a dead bill was no reason for silence.

So I set to work, by personal investigation, to find out if, in this late hour of history, the crime of infant labor had, indeed, appeared in the new South.

I visited personally twenty-four mills in Alabama before the opening of the second session of the legislature at the end of January, 1901.

The state of affairs I discovered was truly appalling. In every one of these mills there were children under *12 years of age* working from *eleven to twelve hours a day*. Six mills out of the twenty-four had worked within a year at night.

In the spinning rooms, brilliantly lighted with electric lights, fitted with the latest machinery turning out, hour after hour, the product which is making huge profits, were to be found little children working from *dark until long past dawn, kept awake by cold water being dashed into their faces.*

Mr. SIMMONS. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from North Carolina?

Mr. BEVERIDGE. Yes; I yield.

Mr. SIMMONS. Mr. President, I simply wish to interrupt the Senator for the purpose of calling his attention to the fact that in his reference a few moments ago to the child-labor laws of North Carolina he fell into an error.

Mr. BEVERIDGE. What was it?

Mr. SIMMONS. As I understood the Senator, he stated that North Carolina had a child-labor law which prohibited children under 12 years of age from working in factories——

Mr. BEVERIDGE. Yes.

Mr. SIMMONS. But had no law which prohibited children from working in the mines and had no law which provided for an inspection.

Mr. BEVERIDGE. The statement will be in the RECORD. I have sent it up to the desk.

Mr. SIMMONS. I think that is what the Senator said.

Mr. BEVERIDGE. I beg the Senator not to take my time now, because I have got to go into the legal phase of the argument.

Mr. SIMMONS. I do not wish to interrupt the Senator except to state that the same child-labor law in North Carolina applying to factories applies also to mines.

Mr. BEVERIDGE. Let it apply to mines. If it was an error, it was on the part of the stenographer. I am not mistaken about the facts, because I hold in my hands the stenographer's original notes about the efforts in North Carolina to defeat attempts to make that law a perfect law at the last session of the legislature.

Mr. SIMMONS. I do not desire to enter into any controversy with the Senator, but simply to correct the error which the Senator made in his statement.

A WARNING TO THE SOUTH.

Mr. BEVERIDGE. If there is any person on this floor, including the Senators from the South, who has a greater affection than I for that section of the country, from which I draw my own blood, I do not know it. And now I want to give a solemn warning to my brothers of the South.

I have had some conversation with my friends upon the other side who come from the South. There is one thing which I want to call to your attention—I do not know whether your attention has been called to it or not; certainly mine would not have been if I had not carefully studied the question. It is a serious question.

We have had much of this session taken up with a discussion of the race question. We have had the assertion of the superiority of the white race made time and time again; that the white race would never yield to the black race.

Yet the children who are at work in the southern cotton mills are from the white working class of the South; and this terrible situation stares the South in the face that, *whereas the children of the white working people of the South are going to the mill and to decay, the negro children are going to school and improvement.*

I am glad to see the negro children going to school, but it is enough to wring the heart to think that day by day you are permitting a system to go on which is steadily weakening the white race for the future and steadily strengthening the black race for the future.

It is not in the power of any man to keep "superior" by *asserting* superiority. The truth of it is the South is face to face with the situation of their white children in the mills and their black children in the schools.

CAN WE REPUBLICANS ASK HIGH TARIFF ON CHILD-MADE GOODS?

There is another thing which we on this side—the Republican side—might as well take into account. I have here the present tariff law. I was reading before I came up to the Capitol, after I got into the office, the tariff on cotton, the tariff on glass, the tariff on coal. I ask Senators who, like myself, are protectionists, With what grace can we go to the country asking that the tariff be continued on these things when the industries in these lines are supported by cheap child labor?

Mr. KEAN. There is no duty on anthracite coal.

Mr. BEVERIDGE. There is a duty on soft coal, and the tariff on anthracite coal was removed only for a year.

Mr. GALLINGER. It never was on.

Mr. BEVERIDGE. Well, no matter. Maybe I have been misinformed upon that, but I don't think so. There is a tariff on glass, and I am glad of it. There is a tariff on soft coal, and I am glad of it. There is a tariff on cotton, and I am glad of it; and I also know some of the percentages of the dividends that are made out of those industries. I ask Senators and I ask them solemnly, how are the people to be asked to have any patience with us when we ask that those tariff rates be maintained if we refuse to deprive those very men of the additional commercial advantage of child labor?

A WARNING TO LABOR—EFFECT OF CHILD LABOR ON WAGES.

That is my warning to the South. And now I wish to speak right here another warning to labor, and I will ask to put into my remarks numerous statements made under oath to prove it. I want the laboring men and women of this country to understand what every labor leader knows—and if he does not know it he is not fit to be a labor leader or any other kind of a leader—that *child labor tends to bring down manhood wages and womanhood wages to the child-wage level.* You are not only killing your children, laboring men, but you are reducing your own manhood wages.

Now, I ask leave to insert without reading affidavits and statements proving nonenforcement of State laws everywhere. They prove the utter inadequacy of the States to handle this evil.

Mr. Spargo, whom I have already quoted on other subjects, uses these strong words on pages 198–200:

At bottom the employers, or rather the system of production for profit, must be held responsible for child labor. There are evidences of this on every hand. We see manufacturers in New Jersey and Pennsylvania getting children from orphan asylums, regardless of their physical, mental, and moral ruin, merely because it pays them. When the glass blowers of Minotola, N. J., went on strike in 1902 the child-labor question was one of their most important issues. The exposures made of the frightful enslavement of little children attracted widespread attention.

* * * * * * *

When the proprietor of the factory was asked about the employment of young boys 10 and 11 years of age, many of whom often fall asleep and were awakened by the men pouring water over them and at least two of whom died from overexhaustion, he said: "If two men apply to me for work and one has one or two or three children and the other has none, *I take the man with children. I need the boys.*"

* * * * * * *

In the mills of the South it is frequently made a condition of the employment of married men nor women that all *their children* shall be bound to work in the same mills. The following is one of the rules posted in a South Carolina cotton mill:

"All children, members of a family, above 12 years of age shall work regularly in the mill, and shall not be excused from service therein without the consent of the superintendent for good cause."

Many times I have heard fathers and mothers—in the North as well as in the South—say that they did not want their children to work, that they could have done without the children's wages and kept them at school a little longer or apprenticed them to better employment, but they were compelled to send them into the mills to work or lose their own places.

* * * * * * *

With such facts as these before us, it is easy to see that the urgency of the employers' demands for child labor is an important factor in the problem. Underlying all other causes is the fundamental fact that *the exploitation of the children is in the interests of the employing class.*

It may be urged that it is necessary to begin work at an early age because the work they do can not be done by men or women, but the contention is wholly unsupported by facts. There is no work done by boys in the glass factories which men could not do; no skill or training is required to enable one to do the work done by breaker boys in the coal mines.

The work done by children in the textile mills could be done equally well by adults. The fact that in some cases adults are employed to do the work which in other cases is done by children is sufficient proof that child labor is not resorted to because it is inevitable and necessary, but on account of its cheapness.

Going from factory to factory throughout the anthracite counties I sometimes came upon the sign "Girls wanted" nailed to the factory doors. Where the demand for silks and laces is good, as apparently it is most of the time in Pennsylvania, cheap child labor is in urgent demand. It is through it that Pennsylvania manufacturers are able to undersell New England manufacturers, for example. The available and eligible children are not so numerous that they can afford to scrutinize the age certificates too closely.

According to the State factory inspector, there are something over 17,000 girls between the ages of 13 and 16 working in the manufacturing establishments of the State. Of this number approximately 4,000 work all night in the textile mills—

This is nearly as bad as Georgia.

And Mr. Spargo continues:

In some districts, especially in New Jersey, it has long been the custom to import boys from certain orphan asylums and "reformatories" to supply the demand of the manufacturers. These boys are placed in laborers' families, and their board paid for by the employers, who deduct it from the boys' wages. Thus a veritable system of child slavery has developed, remarkably like the old English pauper-apprentice system.

Dr. Peter Roberts, in the Outlook, volume 78, September–December, 1904, on page 984, speaks as follows on the effect of child labor on wages:

Another wrong to tender boys and girls employed in silk mills is night work. This is confined to silk plants installed in the anthracite coal fields. In Allentown, Reading, South Bethlehem, Lancaster, etc., children do not work nights, for employers can not get children enough to operate their plants in the day. Mr. Cardiff, manager of a silk-throwing plant in South Bethlehem, said:

"The coal fields is the ideal place for a silk-throwing plant; you get cheap rent, cheap coal, *cheap labor*, and the parents don't object to have their children work nights."

Not in any other industrial center in eastern Pennsylvania are young girls employed in night work. Ten or fifteen years ago night work for girls was unknown in this State.

Miss Ashby says, on the effect of child labor on wages, in the World's Work, volume 2, May, 1901, to October, 1901, page 1292, these words:

The frequent plea that the people would starve were it not for their children's earnings is untrue. In the first place, the child seldom earns even its own food and clothes, and several intelligent operatives who had had children in the mill told me that anything these earned was so discounted by ill health that they had to take them out.

It is a well-established economic fact that the family wage is not increased by child labor. If the law forbids the working of the children, the older members of the family must be able to earn enough to support the younger. In time the family wage is actually lessened by child labor, for the standard of health, education, and needs are lowered.

In arguments bearing on the hardships to individuals of stopping child labor, "the poor widow" bulks large. One's anxiety for the poor widow diminishes when one finds that she is made the excuse in every country for retaining child labor, and that when investigation is made her contribution in the shape of baby laborers is about 2 per cent, as recently shown in England.

And again, on page 1294, she says:

In time, therefore, the earning, and with the earning the spending, capacity of workers in other trades will be lessened, and the development of local trade be checked, even though the cotton mills may make large dividends.

Another disastrous tendency of unregulated child labor is to substitute *the woman and the child for the man*. In North Carolina some of the mill owners speak complacently of their operatives being "loyal and peaceable, because composed chiefly of women and children." Many managers expressed the hope to me that they might soon be able to do without men almost entirely.

Mr. Owen R. Lovejoy in his article on "Schoolhouse or coal breaker," in volume 80 of the Outlook, May–August, 1905, on on page 1018, says:

The third factor contributing to the volume of child labor in this region is the attitude of the employer. One is everywhere assured that these children work in the breakers only during the summer months, beginning in April and returning to school when the snow falls. This is true of many of the boys, yet the breaker continues to run and the slate is picked from the coal at all seasons of the year.

If the boys are not there in winter, *by whom is the work performed?* When the boys come on in the spring, whose places do they take at the coal chute? The fact is, a boy of 12 working for 50 cents or 60 cents a day, can do as much work in some parts of the breaker as a man who would demand $1 a day. The law of supply and demand explains the rest.

Again, we should fall into error were we to conclude that the coal operator is greedy above other employers. He is a business man facing the problems of the business world. Competition with other producers is keen. The appetite of his stockholders for dividends is insatiable. The obvious duty of the superintendent of any department in the concern is to get the work done as efficiently and cheaply as possible. Frequently employers when questioned regarding certain little boys in the breaker have replied with unconcern. "We have their certificate of age all right. That lets us out."

EFFECT ON WAGES.

Mr. Kellogg Durland, whose affidavit I have already presented, in his article of May 9, 1903, on "Child labor in Pennsylvania," published in volume 74 of the Outlook, May–August, 1903, says this as to the effect of child labor on wages, on page 125:

Going from factory to factory throughout the anthracite counties, I sometimes came upon the sign "Girls wanted" nailed to the factory doors. Where the demand for silks and laces is good, as apparently it is most of the time in Pennsylvania, cheap child labor is in urgent demand. It is through it that Pennsylvania manufacturers are able to undersell New England manufacturers, for example. The available and eligible children are not so numerous that they can afford to scrutinize the age certificates too closely.

CONSTITUTIONALITY OF THE LAW. I.

Mr. President, I come now to the constitutionality of this proposed law.

Mr. ALDRICH. Would it interrupt the Senator from Indiana if I were to ask him a single question?

Mr. BEVERIDGE. Not a bit.

Mr. ALDRICH. I agree fully with the Senator as to the serious character of this problem, and I should like him, in considering the constitutional aspect of the question, if he will, to give his opinion upon one subject.

Mr. BEVERIDGE. Yes, sir.

Mr. ALDRICH. We have in New England laws prohibiting, for obvious reasons, the employment of women and children for more than fifty-eight hours a week. In the South women and children are employed from sixty-six to seventy-two hours a week, we will say. Does the Senator think it is possible that Congress can constitutionally regulate the hours of labor in a State for humanitarian reasons?

Mr. BEVERIDGE. I will answer that question when I come to it. Very frankly I will say to the Senator that as to the question of *power*, constitutional power, so far as the products of that labor enter into interstate commerce, I have not the slightest doubt of it. The question of *policy* is a different thing. What I propose that we shall do is to differentiate the question of constitutional *power* to pass this bill from the question of *policy*, with which Senators are confusing it.

Mr. ALDRICH rose.

Mr. BEVERIDGE. Now, please let me go on with that. The Senator from Oregon asked practically the same question. I do not think there is any question about the power. I think it has been clearly decided. I hope the Senator from South Carolina [Mr. TILLMAN], who wants to be converted on the constitutional side, will give me as much of his attention as he can during my discussion.

Mr. TILLMAN. I am particularly anxious, as no doubt all other Senators are, to hear the Senator's legal argument. He has already been speaking over three hours.

Mr. BEVERIDGE. I have.

Mr. TILLMAN. I suggest to him in all kindness that he must be tired, and that several of us would like to hear him in the morning, when we are more fresh, because it is going to take a great deal of argument to convert me, I assure him.

Mr. BEVERIDGE. I would be glad to yield, but I am afraid to-morrow is preempted. I would otherwise be glad to yield.

Mr. TILLMAN. I will be back in a moment.

Mr. BEVERIDGE. All right. Now, to get into the constitutional phase of this question.

WHY THE CONSTITUTION WAS ADOPTED.

Of course it is not necessary or perhaps admissible for anybody in addressing a body of men like this to refer to the purposes of the Constitution or why the Articles of Confederation were abandoned and the reasons for having the Constitution. Everyone is familiar with them. There was an utter breakdown of government because each of the States under the Articles of Confederation imposed all kinds of commercial regulations, and it became necessary, if the Government was to hang together any longer, to give Congress *all the power* over the subject of *regulating commerce* which *the States before had*, so far as concerned commerce with foreign nations and among the several States.

Will any Senator here who adheres to the theory of strict construction contend that before the Constitution was adopted each State did not have *absolute* power over commerce within its own borders—power to regulate, power to prohibit, power to do anything? I pause for a reply. I hear none. The power of the States over commerce was *absolutely sovereign* under the Articles of Confederation. Of course no Senator will deny that.

But *all* such power which the States had under the Articles of Confederation were by the Constitution *given to Congress*. The States parted with that power absolutely, and the power given to Congress, so far as interstate traffic is concerned, is *as complete and absolute as the power of the State over State commerce*. Of course those are only fundamentals. That power over commerce among themselves which the *States* had under the Articles of Confederation—and *all* the power they had over such commerce—was given to the Nation under the Constitution.

It was given in a clause with which every lawyer, of course, is more than familiar, and with which every law student is familiar.

The absolute power which the States had under the Articles of Confederation was given to Congress in the following words of the Constitution:

The Congress shall have power * * * to regulate commerce with foreign nations and among the several States and with the Indian tribes.

"To *regulate commerce*." What did that phrase mean? It had a definite and distinct meaning at that time. It had a "legal meaning" at that time. Also, it had a "popular" meaning at that time; and they were all the same. The laws concerning the "regulation of commerce" with which the colonists were familiar, with which the statesmen of that day were familiar, and all the lawyers were familiar, were the laws of England, from which country we had recently separated.

MEANING OF PHRASE "TO REGULATE COMMERCE."

Nobody will deny that. Very well. There were in existence at the time the Constitution was adopted some twenty-seven acts of the English Parliament in which the phrase "to regulate commerce" occurs. In each one of them those words means in those laws "prohibition" of commerce in some form or other or in some article of commerce.

So when the fathers lifted out of the English statutes and put into the Constitution the phrase "to regulate commerce," they lifted out words that had a definite meaning in the acts of the British Parliament which were directly before them, which had affected them, and which in every instance meant to "prohibit" commerce in some manner or in some article.

So we see that the scope of this power given to Congress by the Constitution is very broad indeed, and I will not take up very much time in reading to the Senate decisions of the Supreme Court showing how absolutely unlimited it is. For instance, as showing the scope of this power, the breadth of it, what can be done under it, perhaps no better illustration can be found than that of the very early case of the United States *v.* Coombs, which is reported in 12 Peters. That was in 1838.

Congress passed a law providing for the criminal punishment of anybody who recovered any wreckage from a ship that was washed above high tide. Coombs was indicted under that statute. He defended upon the ground that there was no authority in Congress to pass any such law; that it impaired the police power of the States. The Supreme Court held that it was a valid law, *not under the admiralty clause*, because they held that the admiralty clause did not reach the water mark above tidewater. But the Supreme Court held that it was a proper exercise of the power of Congress under the Constitution, under the clause of the Constitution *which gives to Congress the power to regulate commerce*, and not at all a violation of the police powers of the States. Justice Story, the second greatest jurist we ever had——

Mr. NELSON. Please give the title of the case.

Mr. BEVERIDGE. United States *v.* Coombs, 12 Peters, page 78.

Mr. Justice Story, in deciding that case, said:

> But we are of the opinion that under the clause of the Constitution giving power to Congress "to regulate commerce with foreign nations and among the several States" Congress possessed the power to punish offenses of the sort which are enumerated in the ninth section of the act of 1825, now under consideration. The power to regulate commerce includes the power to regulate navigation, as connected with the commerce of foreign nations and among the States. It was so held and decided by this court, after the most deliberate consideration, in the case of Gibbons *v.* Ogden (9 Wheat., 189–198). It does not stop at the mere boundary line of a State, nor is it confined to acts done on the water or in the necessary course of the navigation thereof.

Then the Supreme Court goes on to set out the scope of the power, that it includes such a law, for example, so widely removed as a law making it a criminal offense for any person to recover the wreckage of a ship. This man had stolen some wreckage which had been washed ashore. They held that it was a burden on commerce, and, therefore, the interstate and foreign commerce clause of the Constitution covered it; that it was a regulation of foreign commerce. I merely cite that case to show how broad the power is.

"REGULATE" AND "PROHIBIT."

It was not very long after the Constitution was adopted until there arose the very question which we have here raised, the question as to whether under the commerce clause Congress had the power, in regulating commerce, to "*prohibit*" commerce in any article, and that was decided in the affirmative in the case which every lawyer has had by heart since he went to law school—in Gibbons *v.* Ogden, in the great opinion by Chief Justice Marshall.

He took up the question of embargo laws, going on to show, first, that the power *over interstate commerce was precisely the same as over foreign commerce.*

We had been confronted with the exercise of the power of Congress to prohibit commerce in the embargo act, one of the very first acts passed, and that was done exclusively under the clause, says the Supreme Court, giving Congress power over foreign commerce.

> The universally acknowledged *power* of the Government to impose embargoes must also be considered as showing that all America is united in that construction which comprehends navigation in the word "commerce."
>
> * * * * * * *
>
> When Congress imposed that embargo, which for a time engaged the attention of every man in the United States, the avowed object of the law was the protection of commerce and the avoiding of war. By its friends and its enemies it was treated as a *commercial*, not as a *war measure*. The persevering earnestness and zeal with which it was opposed in a part of our country which supposed its interests to be vitally affected by the act can not be forgotten. A want of acuteness in discovering objections to a measure to which they felt the most deep-rooted hostility will not be imputed to those who were arrayed in opposition to this. Yet they never suspected that navigation was no branch of trade, and was, therefore, not comprehended in the power to *regulate commerce*. They did, indeed, contest the constitutionality of the act, but on a principle which admits the construction for which the appellant contends. They denied that the particular law in question was made in pursuance of the Constitution, not because the power could not act directly on vessels, but *because a perpetual embargo was the annihilation*, and not the *regulation* of commerce. In terms they admitted the applicability of the words used in the Constitution to vessels; and that, in a case which produced a degree and an extent of excitement calculated to draw forth every principle on which legitimate resistance could be sustained. No example could more strongly illustrate the universal understanding of the American people on this subject.

Then Chief Justice Marshall gets more directly to the question of "prohibition." Speaking of and defining the power to "*regulate commerce*," Chief Justice Marshall says:

> It is the power to regulate—that is, *to prescribe the rule by which commerce is to be governed*. This power, like all others vested in Congress, is complete in itself, may be exercised to its utmost extent, and *acknowledges no limitations* other than are prescribed in the Constitution. *These* are expressed in *plain* terms and do not affect the questions which arise in this case or which have been discussed at the bar.
>
> If, as has always been understood, the sovereignty of Congress, though limited to specified objects, is *plenary as to those objects*, the power over commerce with foreign nations, *and among the several States*, is vested in Congress *as absolutely as it would be in a single government*, having in its constitution the same restrictions on the exercise of the power as are found in the Constitution of the United States.

Then Chief Justice Marshall takes up the answer to the argument that the power might be "abused," which I intend to delay to a later part of my own argument, which is chiefly the argument here interposed to this bill.

UNITED STATES *v.* MARIGOLD.

Of course this is still on the general *scope* of the power. But the Supreme Court soon held directly—decided *directly*—the power of *prohibition*.

That was done in the case of the United States *v.* Marigold. In United States *v.* Marigold Congress had passed a law *solely and exclusively under the interstate and foreign commerce clause*, "prohibiting" the importation of counterfeit coin, and providing a penalty for doing it. It was conceded in the opinion, it was conceded in the pleas, and it was conceded in passing the act that *the only authority for it was to be found in the clause regulating commerce among the States and with foreign nations.*

Marigold imported some of this coin; he was indicted under this law, and he resisted upon the ground, among others, that there was no authority in Congress; that that was a police power of the State.

> The inquiry first propounded—

Says the Supreme Court in deciding this question, and Justice Daniel delivered the opinion—

> The inquiry first propounded upon this record points obviously to the answer which concedes to Congress the power here drawn in question.
>
> Congress is, by the Constitution, vested with the power to regulate commerce with foreign nations, and however at periods of high excitement an application of the terms "to regulate commerce," such as would embrace *absolute prohibition*, may have been questioned, yet since the passage of the embargo and nonintercourse laws and the repeated judicial sanctions those statutes have received, it can scarcely at this day be open to doubt *that every subject* falling within the legitimate sphere of commercial regulation may be partially or wholly excluded when either measure shall be demanded by the safety or by *the important interests* of the entire Nation.
>
> Such *exclusion* can not be limited to particular classes or descriptions of commercial subjects; it may embrace manufactures, bullion, coin, *or any other thing*. The power once conceded, it may operate on *any and every subject* of commerce to which the legislative discretion may apply it.

Mr. TILLMAN. Will the Senator give us the book and page?

Mr. BEVERIDGE. Yes; United States *v.* Marigold, 9 Howard, page 560, and he will find the portion of the opinion which I quoted on page 567.

Mr. President, that, of course, was a direct, definite declaration that the casuistry of no lawyer in the United States or elsewhere can escape, that the power of Congress to regulate commerce with foreign nations and among the several States is absolute and includes the power to "prohibit" *any subject* of commerce from interstate or foreign commerce. The decision is so clear, emphatic, and unequivocal that it would not be proper for me to waste time in commenting upon it.

The next case in which this absolute power of Congress, under the clause which I have quoted—

> Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes—

is sustained in equally emphatic and unavoidable language, is the case of the United States *v.* Forty-three Gallons of Whisky. That is the title of the case.

THE FORTY-THREE GALLONS OF WHISKY CASE.

It is a case which every one knows, and one with which my friend the Senator from Minnesota [Mr. NELSON] is par-

ticularly familiar, because it occurred in the county of Polk, in the State of Minnesota. It was the case of a libel by the Government of forty-three gallons of whisky that had been brought into the State of Minnesota and into the county of Polk. That county was not within an Indian reservation. It had been at one time, but it had become an organized county of the State.

It had nothing to do with the Indians any more than a county in Ohio or Indiana. But forty-three gallons of whisky had been taken into that county, and I think some of it was sold to an Indian who happened to be a member of a tribe living in some other portion of the State.

The owner of the whisky resisted the libel upon the ground that the act of Congress under which he was prosecuted was beyond the power of Congress to pass. He said that this was purely within a State. He said it was not even within the limits of an Indian reservation; that it could not possibly be any trade with an Indian tribe, and that in any event Congress had no power to "prohibit;" that "prohibiting" was not "regulating commerce" with the Indian tribes.

And so the question that we have here, as in the case of the United States *v.* Marigold, was directly before the court in the case of Forty-three Gallons of Whisky.

Congress, under its constitutional power to *regulate* commerce with the Indian tribes, may not only "prohibit" the unlicensed introduction and sale of spirituous liquors in the "Indian country," but extend such prohibition to territory in proximity to that occupied by Indians.

In deciding the case—and the opinion was rendered by Mr. Justice Davis—the Supreme Court uses the language which I will read. The whole question of the power of Congress under this clause was examined, and the court says:

Under the articles of confederation, the United States had the power of regulating the trade and managing all affairs with the Indians not members of any of the States; provided, that the legislative right of a State within its own limits be not infringed or violated. Of necessity these limitations rendered the power of no practical value. This was seen by the Convention which framed the Constitution; and Congress now has the exclusive and absolute power to "regulate commerce"—

We are trying to find out what the words "to regulate" mean, are we not?—

with the Indian tribes—*a power as broad and as free from restrictions as that to regulate commerce with foreign nations.*

Having thus defined the power, he goes on:

The Indian country, as defined by the act of 1834, was at that date so remote from settlements that there was no occasion to extend the prohibition beyond its limits. It has since then been so narrowed by successive treaties that the white population is now all around it and regarding it with a wistful eye.

In view of this changed condition it would be strange indeed if the commercial power, lodged *solely* with Congress and unrestrained as it is by State lines, did not extend to the *exclusion* of spirituous liquors intended to corrupt the Indians not only from existing Indian country, but from that which has ceased to be so by reason of its cession to the United States.

But if Congress, under the commercial clause, has power to "*prohibit*" the introduction of whisky made *of* corn, why has it not the power to "prohibit" the transportation of goods made *by* children? So far as the *power* is concerned, does the material or its method of manufacture have anything to do with the *power?*

It might have something to do with the *policy*, but does it have anything to do with the *power?* For, mark you, the *power* of Congress over the regulation of commerce with the Indian tribes is *precisely the same*, and not otherwise in any respect, as is *the power to regulate commerce among the several States.*

Mr. SIMMONS. Please give the volume.

Mr. BEVERIDGE. Ninety-three United States, page 188. The quotation is on pages 191 and 196.

Perhaps as important a case in its indirect holding as any, except the one next after that, that I shall come to, which is the famous Rahrer case, which grew out of a provision of the Wilson bill, and the Wilson bill grew out of the decision of the Iowa liquor cases, did it not? The Senator from Rhode Island [Mr. ALDRICH] will remember.

Mr. RAYNER. Will the Senator from Indiana allow me a moment?

Mr. BEVERIDGE. Certainly.

Mr. RAYNER. I am listening to this legal argument with great interest. Suppose we pass a law here providing that no goods shall be transported from State to State not made by a labor union; have we the power to do that?

Mr. BEVERIDGE. We have the *power* to do that, but it would be poor policy. Chief Justice Marshall answered your question.

Mr. RAYNER. I should like to see where Chief Justice Marshall or any Chief Justice, judge, or lawyer answered that question.

Mr. BEVERIDGE. He has answered it.

Mr. RAYNER. I should like to see that decision.

Mr. BEVERIDGE. I am going to come to that in a moment; but I want to get through with these decisions. All there is in the Senator's suggestion is the old argument about the "abuse of power"—that if you concede the power to do this, then you have the power to do that; and because you have that power you *will* do it, of course, and that would be a bad thing, and therefore you have not any power at all—that's your argument.

I will come to all that argument in a minute. There is no question about our *power*, but nobody would *do* it. The Senator from Wisconsin [Mr. SPOONER] was asked that question by the Senator from Texas [Mr. BAILEY] in the discussion of the quarantine bill. I have the answer of the Senator from Wisconsin here. I am sorry he has not honored me with his presence this afternoon, since he said that he is interested in the constitutional phase. He said the question is unthinkable, because nobody is ever going to propose such a thing as that. That was exactly the answer Benjamin Franklin gave when practically the same question was put to him before the bar of the British Parliament when he was being examined there.

It is not to be assumed that the representatives of an intelligent people are going to be so foolish as to do anything like that suggested by the Senator. But that has nothing to do with the *power;* and as a portion of my constitutional argument I am going to meet that, because the Supreme Court has taken up exactly that question. I shall do it later on to the Senator's satisfaction, unless, of course, he is determined not to be satisfied about our *power* to end this universal infamy of child labor.

THE RAHRER CASE.

I wish to read the Rahrer case. There is not a great deal of it, but in its direct motive it is probably as important as the Marigold case, or probably as important as the case of Lesey *v.* Hardin—I think that is the name of the Iowa liquor case. In that case—Lesey *v.* Hardin—the court held, as we all remember, that the State of Iowa had no power whatever over the importation into that State of liquor as long as it was kept in the original package.

To meet that a provision was put in the Wilson bill, that in any State the subjects of interstate commerce were subjected to the laws of any State when they reach there. The Senator from Georgia [Mr. BACON] shakes his head.

Mr. BACON. Not when they reach there. Does the Senator mean when they reach there?

Mr. BEVERIDGE. Yes; it was broader than that—the laws of the various States. I am glad the Senator corrected me there, because it makes the argument all the more important. This case arose in the State of Kansas, which *prohibited* the sale of intoxicating liquors.

It was brought up, I believe, on a test case, where the liquor was in an original package, and only in an original package, and it was attempted to be disposed of by the agent of one dealer who lived in Kansas City. It was seized under the laws of the State of Kansas.

The law of the State of Kansas was strengthened by the section of the Wilson bill which subjected all articles of interstate commerce to the laws of the various States. The case came to the Supreme Court of the United States. Rahrer, who was resisting the law, said that it was unconstitutional because it violated that clause of the Constitution which gives Congress power over commerce among the States.

But the Supreme Court held that that had been obviated by the Wilson bill subjecting all interstate commerce to the laws of the various States, and in so holding here is what the court said. The opinion was delivered by Chief Justice Fuller:

By the adoption of the Constitution the ability of the several States to act upon the matter solely in accordance with their own will was extinguished, and the legislative will of the General Government substituted. No affirmative guaranty was hereby given to any State of the right to demand as between it and the others what it could not have obtained before; while the object was undoubtedly sought to be attained of preventing commercial regulations partial in their character or contrary to the common interests. And the magnificent growth and prosperity of the country attest the success which has attended the accomplishment of that object. But this furnishes no support to the position that Congress could not, in the exercise of the discretion reposed in it, concluding that the common interests did not require *entire freedom in the traffic*—

"*Entire freedom in the traffic*, mind you—

in ardent spirits, enact the law in question.

But this amounts absolutely, as was pointed out at the time and was pointed out in every law journal and discussion in the United States when the Rahrer decision was handed down, as the Senator from Maryland very well knows, to a *prohibition* of commerce in liquors or in anything else, that Congress might by a law subject to the laws of the various States.

And because the law of Kansas *prohibited* the sale of such articles of interstate commerce, and if it prohibited the sale of it, as was said in Brown *v.* Maryland, it *prohibited the thing itself;* it amounted to the exclusion of it.

As the Senator from Georgia pointed out a moment ago, when he very properly corrected me, *every* State might have a law *prohibiting* the sale of spirituous liquors or of anything else—of child-made goods, for example—and if an act of Congress putting all subjects of interstate commerce under the operation of the State laws is valid, then Congress has in itself actually *prohibited* and excluded from interstate commerce this article. That was the thing that so excited the bar and the country.

Mr. BACON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. I do.

Mr. BACON. If the Senator will permit me to ask him a question, I do not propose to argue it at all, but I wish the Senator's view of it?

Mr. BEVERIDGE. I am very glad to yield for that purpose.

THE QUESTION OF POWER OR POLICY.

Mr. BACON. Even if we concede the power of Congress to prohibit the introduction of an article, does the Senator recognize no difference between the power to prohibit the introduction of an article vicious in itself or objectionable for any reason, as most of these decisions pass upon questions of that kind, and an article not objectionable in itself, not vicious, or in any manner detrimental to the public good——

Mr. BEVERIDGE. I understand the Senator's question.

Mr. BACON. An article thus not objectionable, but where the point of the objection simply is as to the manner in which it has been produced in the State?

Mr. BEVERIDGE. The Senator asks me that as a question of power?

Mr. BACON. I am asking the Senator's view, whether or not he recognizes any distinction between the two.

Mr. BEVERIDGE. I understand your question. As a question of *power*, no; none in the world.

Mr. BACON. None whatever?

Mr. BEVERIDGE. But, yes; as a question of *policy*. We have the power. It is a power which we can abuse. But if we do abuse that power, which in us is unlimited, the remedy is at the ballot box, as was pointed out by Chief Justice Marshall in Gibbons *v.* Ogden, where the very question was raised. No; I recognize no distinction whatever so far as the *power* is concerned.

Mr. BACON. Now, if the Senator will permit me——

Mr. BEVERIDGE. So far as policy is concerned, of course; and I will say another thing. The Senator is a very learned lawyer, and he will recall that the Supreme Court has decided over and over again that the question of policy was something for us to pass upon, and upon which the Supreme Court itself has absolutely refused to pass.

Mr. BACON. I simply desire to ask the Senator this question, Is the logical conclusion of his position intended by him to go to this extent or to be thus understood, that Congress has the arbitrary power to prohibit the introduction of any article from one State into another State regardless of the reason upon which it may put that prohibition?

Mr. BEVERIDGE. Yes, sir; I can show——

Mr. BACON. Practically unlimited power?

Mr. BEVERIDGE. I can show it.

Mr. BACON. To prohibit it absolutely?

Mr. BEVERIDGE. Yes; to prohibit it absolutely.

Mr. BACON. That is the logic of the Senator's argument.

Mr. FULTON. Will the Senator from Indiana allow me to interrupt him?

Mr. BEVERIDGE. Certainly.

Mr. FULTON. Would not that, followed to its logical conclusion, mean that Congress could absolutely prohibit commerce among the States?

Mr. BACON. Of course.

Mr. BEVERIDGE. Certainly. That question was raised in Gibbons *v.* Ogden. The Senator certainly did not hear me read from Chief Justice Marshall's opinion.

Mr. FULTON. That Congress can prohibit commerce between the States?

Mr. BEVERIDGE. No; he said the argument would be exactly the argument made now.

Mr. FULTON. No such argument has ever been pronounced in Gibbons *v.* Ogden or any other case. It can not be found in any case.

Mr. OVERMAN. Will the Senator allow me?

Mr. BEVERIDGE. Certainly.

Mr. OVERMAN. I call the attention of the Senator to a paragraph in the Rahrer case that he did not read:

> The power of the State to impose restraints and burdens upon persons and property in conservation and promotion of the public health, good order, and prosperity——

Mr. BEVERIDGE. I know what the Senator is going to read. If he is reading to me he can stop, because I am familiar with it. Nobody questions that.

Mr. OVERMAN. I will not read it all, but let me finish the sentence:

> is a power originally and always belonging to the States, not surrendered by them to the General Government nor directly restrained by the Constitution of the United States, and essentially exclusive.

Mr. BEVERIDGE. The Senator might as well read me something from the Bible. Nobody questions that. That has not anything to do with the particular point to which I was calling the attention of the Senate.

Now, I call the attention of the Senator from Oregon to this. In Gibbons *v.* Ogden there was a definition of the *power* to pass an embargo law. An embargo was an absolute *prohibition* of commerce, and the argument was made against it that we had no such power under the Constitution, because, they said, it meant the *annihilation* of commerce. Here is what Chief Justice Marshall said——

Mr. ALDRICH. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. Does the Senator mean to contend that the power of Congress over foreign commerce is the same as its power over domestic commerce?

Mr. BEVERIDGE. I am coming to that in a minute. Here are the decisions. Does the Senator see those three cases there [indicating]?

Mr. ALDRICH. I see the books.

Mr. BEVERIDGE. Does the Senator from Rhode Island deny that our power over foreign commerce is precisely the same as our power over interstate commerce, and that our power over interstate commerce is exactly as great as the power over foreign commerce? Does the Senator contend that——

Mr. ALDRICH. As I understand the decisions of the court, they are that our power over foreign commerce, under two clauses of the Constitution, is absolute. But they have never said that as to domestic commerce, in my opinion.

Mr. BEVERIDGE. I shall read in just a moment the decisions of the Supreme Court where they do say exactly that in so many words—that the power of Congress over domestic commerce is precisely the same as it is over foreign commerce. In the exercise of that power, I am going to call the Senator's attention to something the Senator himself helped to do.

Mr. RAYNER. Will the Senator allow me?

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Maryland?

Mr. RAYNER. Only for a question.

Mr. BEVERIDGE. Certainly.

Mr. RAYNER. Is it not the logical result of your argument, leaving out the question of policy, that we have the power to pass a law here to-day absolutely prohibiting commercial intercourse between the States? I am speaking of the power now, not the policy.

Mr. BEVERIDGE. If the Senator will permit me, I will answer him in the language of the Senator from Wisconsin [Mr. SPOONER], who I expected to ask me just that question, but he has gone away, for some reason. So I prepared to answer him out of his own mouth. The Senator from Texas [Mr. BAILEY] asked the Senator from Wisconsin a question about like that.

Mr. RAYNER. No; I do not want that.

Mr. BEVERIDGE. When the Senator asks me a question he must let me answer it in my own way. The Senator from Wisconsin answered the question this way: "Well, it is an impossible question. Congress would never think of passing such a law."

Mr. RAYNER. I want to say to the Senator that this is not a lawyer's answer, because nothing is impossible if we have the power. I am not asking about the policy.

Mr. BEVERIDGE. Yes; things are impossible to the Senator if he considers his constituents and desires to retain his seat.

Mr. RAYNER. I do not care enough about the seat upon such a principle.

Mr. BEVERIDGE. I am answering the Senator in my own language, and I happen to be using the language of a very fair lawyer. Chief Justice Marshall said that very thing, that when we abuse the power——

Mr. RAYNER. But I want the Senator's opinion. I want to know if we can pass a law here to-day absolutely prohibiting commercial intercourse between the States—whether that will be the exercise of constitutional power. I should like to have an answer to that question.

Mr. BEVERIDGE. I say it is an impossible question.

Mr. RAYNER. That is your answer to it.

Mr. BEVERIDGE. Let me suggest to the Senator a question. Will you ask me whether or not I think we have the power to prohibit the transportation in interstate commerce of the milk of a cow milked by a young lady 18 years old? Undoubtedly we have the power, but undoubtedly we would not do it. We have the power to prohibit the transportation through interstate commerce of any article. What did the Marigold case say? What did the Forty-three Gallons Whisky case say?

Mr. CARMACK. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. I do. I am coming to another case.

Mr. CARMACK. I ask the Senator if the United States Government could put the young lady in the penitentiary for not being 18 years old? [Laughter.]

Mr. BACON. Never! God forbid! Protect the young ladies at all hazards. [Laughter.]

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. I do.

Mr. BACON. I should like to suggest to the Senator if there is anything in political history or in all the interstate commerce law to show that the object of that feature in the Constitution was not to facilitate commerce between the States and prevent any barrier. Yet the Senator would say that legitimately it can be construed to erect barriers which would absolutely destroy it.

Mr. BEVERIDGE. I say to the Senator and to the Senate in answer to that that not only has it been so construed ever since the first opinion was handed down on the subject by the Supreme Court, but that Congress has time and again accepted such a construction and done exactly that thing, and I propose to cite, before I get through this argument, law after law where there is absolute prohibition.

During the delivery of Mr. BEVERIDGE'S speech.

The PRESIDING OFFICER (Mr. SMOOT in the chair.) The Senator from Indiana will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (S. 7709) to revise, codify, and amend the penal laws of the United States.

Mr. FULTON. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. There being no objection, it is so ordered.

Mr. BEVERIDGE. I thank the Senator from Oregon.

Mr. BEVERIDGE resumed his speech. After having spoken until a few minutes before 5 o'clock,

Mr. NELSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Minnesota?

Mr. BEVERIDGE. Certainly.

Mr. NELSON. If the Senator will allow me, he has now addressed the Senate for between four and five hours, and he must be tired. It is evident that this legal and constitutional argument can not well be finished to-night, and I inquire whether it would not suit the Senator to suspend and finish his argument in the morning, taking the floor immediately after the close of the routine morning business?

Mr. BEVERIDGE. It would be very agreeable indeed to me, I will say to the Senator, if it can be arranged. I have only got started in this constitutional part.

Nr. NELSON. Then I ask unanimous consent that the Senator from Indiana may continue his argument to-morrow immediately after the close of the routine morning business.

Mr. ALDRICH. The Senator from Maine [Mr. HALE] has given notice that he will call up an appropriation bill in the morning, and I think some Senator has given notice of a speech to-morrow morning—the Senator from Maryland [Mr. RAYNER], if I remember correctly.

Mr. GALLINGER. The Senator from Montana [Mr. CARTER].

Mr. ALDRICH. The Senator from Montana [Mr. CARTER] has given notice of a speech to-morrow.

Mr. CARTER. I do not desire to overwork, or to be the means of overworking, the Senator from Indiana. I realize that he has continued many hours of the session to-day. Yet I trust that some hour may be fixed to-morrow for the conclusion of the remarks of the Senator—say at 2 o'clock.

Mr. PATTERSON. That depends upon how much time the

Mr. BEVERIDGE. I can conclude, I am quite sure, by 2 o'clock to-morrow, without any interruptions.

Senator from Indiana may be allowed for his argument. He means if he has a chance to proceed immediately after the close of the routine business?

Mr. BEVERIDGE. Certainly. That was the suggestion of the Senator from Minnesota.

Mr. GALLINGER. Mr. President——

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

Mr. BEVERIDGE. Certainly.

Mr. GALLINGER. I rose simply to ask if any unanimous-consent agreement had been asked with reference to 2 o'clock to-morrow?

The VICE-PRESIDENT. Unanimous consent was asked that the Senator from Indiana be allowed to resume the floor after the routine morning business to-morrow to conclude his remarks.

Mr. GALLINGER. Before I agree to that I wish to call attention to the fact that I have given notice that I should call up to-day Senate bill 6147, which is a very urgent bill. I yielded to the Senator from Indiana, and was pleased to do so. In the meantime the Senator from Montana [Mr. CARTER] and the Senator from Idaho [Mr. HEYBURN] gave notice that they would speak to-morrow, and, as we all know, memorial exercises are to be held on Friday.

I now rise, Mr. President, for the purpose of saying that on Saturday, after the routine morning business, if there be no appropriation bill under consideration, I will beg the indulgence of the Senate to consider the bill in which I am interested, and which ought to be taken up at an early day.

Mr. BEVERIDGE. The Senator was extremely kind to me, and I wish to state my appreciation of his kindness.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Minnesota?

Mr. CARTER. I suggest to the Senator from Minnesota the acceptance of an amendment that the Senator from Indiana conclude his remarks by 2 o'clock.

Mr. BEVERIDGE. I will say to the Senator that of course I will try to do that, and certainly I shall not take much longer. The Senator can understand that if there are interruptions it would prolong the time.

Mr. CARTER. I wish to have the Senator conclude his remarks, of course. I suggest as a modification of the request for unanimous consent that immediately after the conclusion of the Senator's remarks, at whatever time he may conclude, the floor be accorded to me for some brief observations.

Mr. BEVERIDGE. Very well. That is very courteous of the Senator.

Mr. NELSON. I make the modification, and renew my request for unanimous consent in that form.

The VICE-PRESIDENT. The Senator from Minnesota asks unanimous consent that the Senator from Indiana be permitted to resume the floor immediately after the conclusion of the routine morning business to-morrow, for the purpose of concluding his remarks, and that the junior Senator from Montana [Mr. CARTER] may take the floor immediately after the conclusion of the remarks of the Senator from Indiana for the purpose of addressing the Senate in accordance with the notice he has heretofore given. Is there objection? The Chair hears none, and it is so ordered.

CHANGES IN DISTRICT STREET-RAILWAY TRACKS.

Mr. GALLINGER. Mr. President, I desire to change the notice I gave. On Wednesday, after the routine morning business, I will ask to have considered the bill (S. 6147) authorizing changes in certain street-railway tracks within the District of Columbia, and for other purposes.

CONTINUATION OF POSTAL COMMISSION.

The joint resolution (H. J. Res. 230) continuing the Postal Commission until the close of the present session of Congress was read the first time by its title.

Mr. PENROSE. I ask that the joint resolution be put on its passage.

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

Resolved, etc., That the Joint Commission of Congress appointed under the provisions of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, approved June 26, 1906, shall not be deemed to be discharged by the presentation to the Senate or the House of Representatives of its said report, but is hereby continued in existence with all the powers created by said act until the termination of the present session of Congress, for the purpose of completing the preparation, printing, and publication of the record of the hearings held by said Commission, and for the preparation, printing, and publication of an index and digest of the same. And the unexpended balance of the appropriation for said Commission in said act shall be available for the expenses of the said Commission. And that payments that have been made or are hereafter to be made on account of the expenses of the said Commission upon vouch-

ers approved by the chairman thereof shall be deemed held and taken and are hereby declared to be conclusive upon all departments and officers of the Government.

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

Mr. BACON. I would inquire to what the joint resolution relates?

Mr. PENROSE. The purpose of the joint resolution is to enable the Postal Commission to complete the compiling of the testimony, which is very voluminous. It is the Joint Postal Commission of Congress, the report of which I submitted this morning.

Mr. BACON. That is what I rose to learn—the subject-matter to which it relates.

Mr. PENROSE. The fear was that the Commission with the presentation of its report to-day would go out of existence, and this is to continue it until the loose ends can be gathered in and the work completed.

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.

LOWER COLORADO RIVER.

Mr. FLINT obtained the floor.

Mr. KEAN. Mr. President——

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from New Jersey?

Mr. KEAN. I was going to move an executive session.

Mr. FLINT. I ask unanimous consent for the present consideration of the bill (S. 7776) to provide for protecting the interests of the United States on the lower Colorado River, for the establishment of the Imperial Valley and the Colorado River irrigation projects, and for other purposes.

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

The Secretary proceeded to read the bill.

Mr. FLINT. I will ask to have the matter go over. There does not seem to be a sufficient number of Senators here. It is a very important bill, and I want to have it carefully considered.

The VICE-PRESIDENT. The bill will lie over.

REPRINT OF PURE-FOOD LAW.

Mr. HEYBURN. An order was made Saturday for a reprint of the pure-food law, with the accompanying documents. I ask that that order be rescinded and that an order be made for the printing of the matter included in the former order as a Senate document.

The VICE-PRESIDENT. Without objection, the order is changed as now requested.

EXECUTIVE SESSION.

Mr. KEAN. 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 five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 29, 1907, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 28, 1907.

PROMOTION IN REVENUE-CUTTER SERVICE.

Second Asst. Engineer California Charles McMillan to be first assistant engineer in the Revenue-Cutter Service of the United States, to rank as such from August 22, 1906, in place of First Asst. Engineer Henry Todd Powell, resigned.

PROMOTIONS IN THE ARMY.

Infantry Arm—To be first lieutenants.

Second Lieut. Robert G. Caldwell, Eighteenth Infantry, from July 2, 1906, vice Young, Tenth Infantry, promoted.

Second Lieut. Hugh A. Parker, Twenty-eighth Infantry, from July 2, 1906, vice Parker (W. M.), Eleventh Infantry, promoted.

Second Lieut. Charles W. Tillotson, Nineteenth Infantry, from July 3, 1906, vice Clark, Fifth Infantry, promoted.

Second Lieut. Will D. Wills, Twenty-eighth Infantry, from July 7, 1906, vice Hunt, Nineteenth Infantry, promoted.

Second Lieut. Arthur T. Dalton, Twenty-seventh Infantry, from July 13, 1906, vice Simonds, Twenty-second Infantry, promoted.

Second Lieut. Otho E. Michaelis, Fifth Infantry, from July 28, 1906, vice Rucker, Sixteenth Infantry, retired from active service.

Second Lieut. William C. Stoll, Eleventh Infantry, from July 28, 1906, vice Frith, Twenty-ninth Infantry, promoted.

Second Lieut. Ira A. Smith, Nineteenth Infantry, from August 7, 1906, vice Ansell, Eleventh Infantry, promoted.

Second Lieut. James E. Ware, Fourteenth Infantry, from August 7, 1906, vice Peck, Twenty-fourth Infantry, promoted.

Second Lieut. Frank W. Dawson, Twenty-ninth Infantry, from August 8, 1906, vice Anderson, Nineteenth Infantry, resigned.

POSTMASTERS.

COLORADO.

Hockley T. Hamill to be postmaster at Georgetown, in the county of Clear Creek and State of Colorado, in place of Hockley T. Hamill. Incumbent's commission expires February 28, 1907.

Carrie James to be postmaster at Loveland, in the county of Larimer and State of Colorado, in place of David James, deceased.

Francis M. Tague to be postmaster at Las Animas, in the county of Bent and State of Colorado, in place of Francis M. Tague. Incumbent's commission expires March 3, 1907.

FLORIDA.

J. P. Schell to be postmaster at Chipley, in the county of Washington and State of Florida, in place of John S. Alley, deceased.

ILLINOIS.

Carson T. Metcalf to be postmaster at Greenfield, in the county of Greene and State of Illinois, in place of John D. Robards. Incumbent's commission expired July 1, 1906.

Peter A. Nelson to be postmaster at Lamont, in the county of Cook and State of Illinois, in place of Peter A. Nelson. Incumbent's commission expired January 23, 1907.

William H. Pease to be postmaster at Harvey, in the county of Cook and State of Illinois, in place of William H. Pease. Incumbent's commission expired January 23, 1907.

Rollin Waite to be postmaster at McHenry, in the county of McHenry and State of Illinois. Office became Presidential October 1, 1906.

INDIANA.

George W. Patchell to be postmaster at Union City, in the county of Randolph and State of Indiana, in place of James S. Reeves, deceased.

Thomas Rudd to be postmaster at Butler, in the county of Dekalb and State of Indiana, in place of Thomas Rudd. Incumbent's commission expired December 20, 1906.

Amanda Sullivan to be postmaster at Garrett, in the county of Dekalb and State of Indiana, in place of Amanda Sullivan. Incumbent's commission expired January 7, 1907.

IOWA.

Eugene J. Birchard to be postmaster at Kellogg, in the county of Jasper and State of Iowa. Office became Presidential January 1, 1907.

Nettie Lewis to be postmaster at Marcus, in the county of Cherokee and State of Iowa, in place of Francis A. Lewis, deceased.

KANSAS.

Thomas H. Earnest to be postmaster at Cherryvale, in the county of Montgomery and State of Kansas, in place of Thomas H. Earnest. Incumbent's commission expired December 9, 1906.

James J. Evans to be postmaster at Hartford, in the county of Lyon and State of Kansas, in place of James J. Evans. Incumbent's commission expired January 22, 1907.

James S. Price to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas, in place of William S. Baxter, removed.

MAINE.

Seth T. Snipe to be postmaster at Bath, in the county of Sagadahoc and State of Maine, in place of Hiram A. Huse, deceased.

MASSACHUSETTS.

Louis L. Campbell to be postmaster at Northampton, in the county of Hampshire and State of Massachusetts, in place of Louis L. Campbell. Incumbent's commission expires February 4, 1907.

Walter L. Shaw to be postmaster at Palmer, in the county of Hampden and State of Massachusetts, in place of Walter L. Shaw. Incumbent's commission expires February 4, 1907.

MICHIGAN.

Martin N. Brady to be postmaster at Saginaw West Side, in the county of Saginaw and State of Michigan, in place of Martin N. Brady. Incumbent's commission expires February 11, 1907.

Will H. Brunson to be postmaster at St. Johns, in the county

of Clinton and State of Michigan, in place of Will H. Brunson. Incumbent's commission expires February 7, 1907.

Charles Gauntlett to be postmaster at Milan, in the county of Washtenaw and State of Michigan, in place of Charles W. Pullen. Incumbent's commission expires February 2, 1907.

John Hanna to be postmaster at Birmingham, in the county of Oakland and State of Michigan, in place of John Hanna. Incumbent's commission expires February 2, 1907.

MINNESOTA.

Ole H. Grasmoen to be postmaster at Fairfax, in the county of Renville and State of Minnesota. Office became Presidential January 1, 1907.

O. J. Simmons to be postmaster at Austin, in the county of Mower and State of Minnesota, in place of Samuel Sweningsen. Incumbent's commission expires March 2, 1907.

MISSOURI.

Thomas Sharp to be postmaster at Wellsville, in the county of Montgomery and State of Missouri, in place of Thomas Sharp. Incumbent's commission expires February 11, 1907.

Wesley W. Wehrli to be postmaster at Mound City, in the county of Holt and State of Missouri, in place of Wesley W. Wehrli. Incumbent's commission expires March 2, 1907.

NEW JERSEY.

Herbert H. Biddulph to be postmaster at Montclair, in the county of Essex and State of New Jersey, in place of William L. Doremus, deceased.

Frank A. Brown to be postmaster at Cranbury, in the county of Middlesex and State of New Jersey, in place of Frank A. Brown. Incumbent's commission expired January 22, 1907.

NEW YORK.

Samuel H. Palmer to be postmaster at Ogdensburg, in the county of St. Lawrence and State of New York, in place of Samuel H. Palmer. Incumbent's commission expired December 20, 1906.

Frank R. Utter to be postmaster at Friendship, in the county of Allegany and State of New York, in place of Frank R. Utter. Incumbent's commission expires February 26, 1907.

NORTH CAROLINA.

Mack Brantley to be postmaster at Spring Hope, in the county of Nash and State of North Carolina. Office became Presidential January 1, 1907.

Charles T. Hickey to be postmaster at Spruce Pine, in the county of Mitchell and State of North Carolina. Office became Presidential January 1, 1907.

OHIO.

James A. Downs to be postmaster at Scio, in the county of Harrison and State of Ohio, in place of William H. H. Masters. Incumbent's commission expired January 26, 1907.

OREGON.

W. T. Bell to be postmaster at Enterprise, in the county of Wallowa and State of Oregon. Office became Presidential January 1, 1907.

PENNSYLVANIA.

William A. Boyd to be postmaster at Sandy Lake, in the county of Mercer and State of Pennsylvania, in place of William A. Boyd. Incumbent's commission expires February 26, 1907.

W. D. McGinniss to be postmaster at Emlenton, in the county of Venango and State of Pennsylvania, in place of Merrick Davidson. Incumbent's commission expires February 26, 1907.

TEXAS.

Leander A. Canada to be postmaster at Morgan, in the county of Bosque and State of Texas. Office became Presidential January 1, 1907.

May Harrison to be postmaster at Rising Star, in the county of Eastland and State of Texas. Office became Presidential January 1, 1907.

Theodore Miller to be postmaster at Rusk, in the county of Cherokee and State of Texas, in place of Theodore Miller. Incumbent's commission expired January 20, 1907.

VIRGINIA.

John B. Grayson to be postmaster at Warrenton, in the county of Fauquier and State of Virginia, in place of John M. Campbell, resigned.

James H. Sumpter to be postmaster at Floyd, in the county of Floyd and State of Virginia. Office became Presidential January 1, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 28, 1907.

COMMISSIONER OF THE GENERAL LAND OFFICE.

Richard A. Ballinger, of Seattle, Wash., to be Commissioner of the General Land Office.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

William C. Besselievre, jr., of Massachusetts, to be constructor in the Revenue-Cutter Service of the United States.

REGISTERS OF THE LAND OFFICE.

David J. Girard, of Eureka, Cal., to be register of the land office at Eureka, Cal.

Samuel A. Abbey, of Colorado, to be register of the land office at Pueblo, Colo., to take effect March 3, 1907.

Lee Fairbanks, of Colorado, to be register of the land office at Del Norte, Colo., to take effect March 3, 1907.

Addison T. Smith, of Boise, Idaho, to be register of the land office at Boise, Idaho.

RECEIVERS OF PUBLIC MONEYS.

Edward S. Wiggins, of Oklahoma, to be receiver of public moneys at Woodward, Okla.

Alfred C. Steinman, of Ellensburg, Wash., to be receiver of public moneys at North Yakima, Wash.

POSTMASTERS.

CALIFORNIA.

John W. Short to be postmaster at Fresno, in the county of Fresno and State of California.

COLORADO.

George S. Mott to be postmaster at Telluride, in the county of San Miguel and State of Colorado.

George W. Shuler to be postmaster at Holyoke, in the county of Phillips and State of Colorado.

IDAHO.

Orville J. Butler to be postmaster at Harrison, in the county of Kootenai and State of Idaho.

William D. Hardwick to be postmaster at Nezperce, in the county of Nez Perce and State of Idaho.

Millie R. Longfellow to be postmaster at Mountain Home, in the county of Elmore and State of Idaho.

Olof Olson to be postmaster at Troy, in the county of Latah and State of Idaho.

ILLINOIS.

Adolph Fehrman to be postmaster at Pekin, in the county of Tazewell and State of Illinois.

Theodore A. Fritchey to be postmaster at Olney, in the county of Richland and State of Illinois.

William A. Hardy to be postmaster at Springvalley, in the county of Bureau and State of Illinois.

William C. Heining to be postmaster at Red Bud, in the county of Randolph and State of Illinois.

Andrew J. Pickrell to be postmaster at Anna, in the county of Union and State of Illinois.

George C. Roberts to be postmaster at Greenview, in the county of Menard and State of Illinois.

Chalres Scofield to be postmaster at Marengo, in the county of McHenry and State of Illinois.

Allen T. Spivey to be postmaster at Shawneetown, in the county of Gallatin and State of Illinois.

Edwin L. Welton to be postmaster at Centralia, in the county of Marion and State of Illinois.

INDIAN TERRITORY.

W. S. Browning to be postmaster at Weleetka, in district 13, Indian Territory.

MAINE.

Seth T. Snipe to be postmaster at Bath, in the State of Maine.

MARYLAND.

Sewell M. Moore to be postmaster at Cambridge, in the county of Dorchester and State of Maryland.

MISSOURI.

John L. Schmitz to be postmaster at Chillicothe, in the county of Livingston and State of Missouri.

NEW JERSEY.

Thomas E. Hunt to be postmaster at Penn Grove, in the county of Salem and State of New Jersey.

Adam Kandle to be postmaster at Elmer, in the county of Salem and State of New Jersey.

NEW YORK.

Andrew D. Annable to be postmaster at Otego, in the county of Otsego and State of New York.

Warren B. Ashmead to be postmaster at Jamaica, in the county of Queens and State of New York.

Hiram W. Vedder to be postmaster at Waterford, in the county of Saratoga and State of New York.

OREGON.

George W. McQueen to be postmaster at Cottage Grove, in the county of Lane and State of Oregon.

PENNSYLVANIA.

William H. H. Lea to be postmaster at Carnegie, in the county of Allegheny and State of Pennsylvania.

Samuel R. McMorran to be postmaster at Aspinwall, in the county of Allegheny and State of Pennsylvania.

Herman H. North to be postmaster at Bradford, in the county of McKean and State of Pennsylvania.

TEXAS.

Isham H. Nelson to be postmaster at Snyder, in the county of Scurry and State of Texas.

Laura M. Poe to be postmaster at Santa Anna, in the county of Coleman and State of Texas.

Jacob J. Utts to be postmaster at Canton, in the county of Van Zandt and State of Texas.

Wilber H. Webber to be postmaster at Lampasas, in the county of Lampasas and State of Texas.

David M. Wilson to be postmaster at Bridgeport, in the county of Wise and State of Texas.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 28, 1907.*

The House met at 12 o'clock m.

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

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

EXPLANATION.

Mr. TAWNEY. Mr. Speaker, I desire to explain a statement I made on the day of the last session of the House. On page 1784 of the RECORD of January 26, during the debate on the agricultural appropriation bill, after the paragraph in relation to breeding animals was stricken out on the point of order made by the gentleman from New York, the gentleman from Colorado [Mr. BROOKS] offered an amendment restoring that part of the paragraph relating to the appropriation to aid the State experimental station in carrying on this work, but leaving the amount to be appropriated at $50,000, as originally carried in the bill. To that I offered an amendment reducing the amount carried in the amendment of the gentleman from Colorado from $50,000 to $25,000. In explanation of my amendment I made the statement "and I am informed that it was understood among the members of the committee that if the proviso went out the amount should be reduced to $25,000, which is the current appropriation." The basis for that statement was remarks that were made here about me on the floor at that time concerning the matter; but I have since been informed by the chairman of the committee having in charge the agricultural appropriation bill that there was no agreement; there was no understanding whatever relative to the amount that was to be carried by the amendment offered by the gentleman from Colorado [Mr. BROOKS] in the event that the proviso went out, as stated by me, and that the gentleman from Colorado [Mr. BROOKS] in offering the amendment as he did did not do so in violation of any agreement or any understanding whatever. I wish to exonerate him entirely from the implication in my remarks. The statement I made was incorrect and not justified by the fact. I make this statement in justice to the gentleman from Colorado.

The SPEAKER. Does the gentleman desire the RECORD to be corrected?

Mr. TAWNEY. I just want to make that statement in explanation, Mr. Speaker.

Mr. BROOKS of Colorado. Mr. Speaker, I desire to express my thanks and appreciation to the gentleman from Minnesota for his very kind action in making the correction, and also to the gentleman from New York [Mr. WADSWORTH] for his statement to the same effect.

POSTAL COMMISSION.

Mr. OVERSTREET of Indiana. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution:

The Clerk read as follows (H. J. Res. 230):

Resolved, That the Joint Commission of Congress appointed under the provisions of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, approved June 26, 1906, shall not be deemed to be discharged by the presentation to the Senate or the House of Representatives of its said report, but is hereby continued in existence with all the powers created by said act until the termination of the present session of Congress for the purpose of completing the preparation, printing, and publication of the record of the hearings held by said Commission, and for the preparation, printing, and publication of an index and digest of the same. And the unexpended balance of the appropriation for said Commission in said act shall be available for the expenses of the said Commission. And that payments that have been made or are hereafter to be made on account of the expenses of the said Commission, upon vouchers approved by the chairman thereof, shall be deemed held and taken and are hereby declared to be conclusive upon all Departments and officers of the Government.

Mr. WILLIAMS. Will the gentleman yield to me? Mr. Speaker, I want to say that I think this resolution ought to pass the House. That Commission has not finished its work, not because of any fault of its own, but because they have not had time. It appears to me to be a matter of very great importance in the economical administration of the Department; and I hope there will be no objection.

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

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. OVERSTREET of Indiana, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

REPORT OF POSTAL COMMISSION.

Mr. OVERSTREET of Indiana presented the report of the Postal Commission authorized by Congress to make inquiry regarding second-class mail matter; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5380. An act granting an increase of pension to Richard Jones—to the Committee on Invalid Pensions.

S. 6044. An act granting an increase of pension to John H. Arnold—to the Committee on Invalid Pensions.

S. 4629. An act granting an increase of pension to Mary Jane Miller—to the Committee on Invalid Pensions.

S. 6634. An act granting an increase of pension to John P. Murray—to the Committee on Invalid Pensions.

S. 7021. An act granting an increase of pension to Hugh J. McJunkin—to the Committee on Invalid Pensions.

S. 5171. An act granting an increase of pension to Jennie H. Marshall—to the Committee on Invalid Pensions.

S. 2748. An act granting an increase of pension to Joel R. Smith—to the Committee on Invalid Pensions.

S. 7078. An act granting a pension to Daniel Schaffner—to the Committee on Invalid Pensions.

S. 7218. An act granting an increase of pension to Samuel D. Thompson—to the Committee on Invalid Pensions.

S. 2954. An act granting an increase of pension to Hannah Welch—to the Committee on Invalid Pensions.

S. 7491. An act granting an increase of pension to Anna V. Blaney—to the Committee on Invalid Pensions.

S. 5970. An act granting an increase of pension to Julia A. Horton—to the Committee on Invalid Pensions.

S. 7492. An act granting an increase of pension to Benjamin Clow—to the Committee on Invalid Pensions.

S. 3563. An act granting an increase of pension to Orin D. Sisco—to the Committee on Invalid Pensions.

S. 7452. An act granting an increase of pension to Thomas Harrop—to the Committee on Invalid Pensions.

S. 6956. An act granting an increase of pension to Eli Ford, alias Jacob Butler—to the Committee on Invalid Pensions.

S. 6711. An act granting an increase of pension to Harvey B. F. Keller—to the Committee on Invalid Pensions.

S. 6713. An act granting an increase of pension to James L. Short—to the Committee on Invalid Pensions.

S. 7683. An act granting an increase of pension to William Wakefield—to the Committee on Invalid Pensions.

S. 5400. An act granting an increase of pension to John A. Chase—to the Committee on Invalid Pensions.

S. 7509. An act granting an increase of pension to William T. Bennett—to the Committee on Invalid Pensions.

S. 4958. An act granting an increase of pension to William W. Duffield—to the Committee on Invalid Pensions.

S. 5782. An act granting an increase of pension to Octave L. F. E. Fariola—to the Committee on Invalid Pensions.

S. 4396. An act granting an increase of pension to Thomas C. Davis—to the Committee on Pensions.

S. 3434. An act granting an increase of pension to Charles M. Canfield—to the Committee on Invalid Pensions.

S. 7379. An act granting an increase of pension to Mary E. Dougherty—to the Committee on Invalid Pensions.

S. 7025. An act granting an increase of pension to James C. West—to the Committee on Pensions.

S. 7672. An act granting an increase of pension to Elvina Adams—to the Committee on Pensions.

S. 5261. An act granting an increase of pension to Stephen A. Barker—to the Committee on Invalid Pensions.

S. 7673. An act granting an increase of pension to William W. Jordan—to the Committee on Pensions.

S. 7668. An act granting an increase of pension to Henry H. Buzzell—to the Committee on Invalid Pensions.

S. 7666. An act granting an increase of pension to True Sanborn, jr.—to the Committee on Invalid Pensions.

S. 7430. An act granting a pension to Mary F. Johnson—to the Committee on Invalid Pensions.

S. 7818. An act granting an increase of pension to Edward Bird—to the Committee on Invalid Pensions.

S. 1261. An act granting an increase of pension to Edwin P. Richardson—to the Committee on Invalid Pensions.

S. 7745. An act granting an increase of pension to Frederick Wood—to the Committee on Invalid Pensions.

S. 7574. An act granting an increase of pension to Emily J. Larkham—to the Committee on Invalid Pensions.

S. 7843. An act granting an increase of pension to Isaac Oakman—to the Committee on Invalid Pensions.

S. 6734. An act granting an increase of pension to John C. Snell—to the Comittee on Invalid Pensions.

S. 7685. An act granting an increase of pension to Albion W. Tebbetts—to the Committee on Invalid Pensions.

S. 7380. An act granting an increase of pension to Andrew J. Harris—to the Committee on Invalid Pensions.

S. 7058. An act granting an increase of pension to Gilbert Bailie—to the Committee on Invalid Pensions.

S. 7533. An act granting an increase of pension to Orvil Dodge—to the Committee on Invalid Pensions.

S. 4742. An act granting an increase of pension to Mary E. Allen—to the Committee on Pensions.

S. 7061. An act granting an increase of pension to Hugh McNaughton—to the Committee on Invalid Pensions.

S. 5681. An act granting an increase of pension to William Grant—to the Committee on Invalid Pensions.

S. 7171. An act granting an increase of pension to Margaret Holden—to the Committee on Invalid Pensions.

S. 5884. An act granting an increase of pension to Cyrus Palmer—to the Committee on Invalid Pensions.

S. 7136. An act granting an increase of pension to Cornelia W. Clay—to the Committee on Invalid Pensions.

S. 7272. An act granting an increase of pension to George W. Cook—to the Committee on Invalid Pensions.

S. 7196. An act granting an increase of pension to William H. Hubbard—to the Committee on Invalid Pensions.

S. 4693. An act granting an increase of pension to Irvin M. Hill—to the Committee on Invalid Pensions.

S. 7820. An act granting an increase of pension to Benjamin B. Cravens—to the Committee on Invalid Pensions.

S. 7642. An act granting an increase of pension to Oliver H. P. Rhoads—to the Committee on Invalid Pensions.

S. 3268. An act granting an increase of pension to Jacob A. Ward—to the Committee on Invalid Pensions.

S. 6612. An act granting an increase of pension to George H. McClung—to the Committee on Invalid Pensions.

S. 4873. An act granting an increase of pension to D. Laning Ross—to the Committee on Invalid Pensions.

S. 6606. An act granting an increase of pension to Alexander Sholl—to the Committee on Invalid Pensions.

S. 5374. An act granting a pension to Floyd A. Honaker—to the Committee on Invalid Pensions.

S. 6909. An act granting an increase of pension to William H. Adams—to the Committee on Invalid Pensions.

S. 7044. An act granting an increase of pension to Sylvester O. Pevear—to the Committee on Invalid Pensions.

S. 6665. An act granting an increase of pension to Samuel B. T. Goodrich—to the Committee on Invalid Pensions.

S. 177. An act granting an increase of pension to Alvah D. Wilson—to the Committee on Invalid Pensions.

S. 7394. An act granting an increase of pension to Henrietta C. Cooley—to the Committee on Invalid Pensions.

S. 2083. An act granting an increase of pension to Asa K. Harbert—to the Committee on Invalid Pensions.

S. 7150. An act granting an increase of pension to John Bell—to the Committee on Invalid Pensions.

S. 6899. An act granting an increase of pension to George H. Nye—to the Committee on Invalid Pensions.

S. 7880. An act granting an increase of pension to Sarah E. Stockton—to the Committee on Invalid Pensions.

S. 5457. An act granting an increase of pension to Albert Teets—to the Committee on Invalid Pensions.

S. 3998. An act granting an increase of pension to Thomas Warner—to the Committee on Invalid Pensions.

S. 1622. An act granting a pension to Jane Agnew—to the Committee on Invalid Pensions.

S. 6127. An act granting an increase of pension to John R. Callender—to the Committee on Invalid Pensions.

S. 7605. An act granting an increase of pension to Judiah B. Smithson—to the Committee on Invalid Pensions.

S. 6652. An act granting an increase of pension to Hiram H. Lockwood—to the Committee on Invalid Pensions.

S. 7841. An act granting an increase of pension to Frank De Noyer—to the Committee on Invalid Pensions.

S. 5730. An act granting an increase of pension to William O. Spelman—to the Committee on Invalid Pensions.

S. 7355. An act granting an increase of pension to William McHenry Plotner—to the Committee on Invalid Pensions.

S. 6635. An act granting an increase of pension to John A. Morris—to the Committee on Invalid Pensions.

S. 7840. An act granting an increase of pension to Lewis A. Towne—to the Committee on Invalid Pensions.

S. 7768. An act granting an increase of pension to Alonzo P. Mann—to the Committee on Invalid Pensions.

S. 7684. An act to provide and maintain for the port of Galveston, Tex., a customs boarding boat—to the Committee on Interstate and Foreign Commerce.

S. 7706. An act for the relief of Robert Broadbent, Barger Holst, James A. Dunham, Byron Dawley, Axel Rosendahl, Will J. Elliott, and C. M. Hutchins—to the Committee on Claims.

S. 4559. An act granting an increase of pension to John A. Wagner—to the Committee on Invalid Pensions.

S. 3645. An act to correct the military record of Edwin Moyer—to the Committee on Military Affairs.

S. 1566. An act for the relief of Isaiah Heylin McDonald—to the Committee on Military Affairs.

S. 7996. An act granting an increase of pension to Robert B. Lucas—to the Committee on Invalid Pensions.

S. 7995. An act granting an increase of pension to Ashley White—to the Committee on Invalid Pensions.

S. 7879. An act granting to the Los Angeles Inter-Urban Railway Company a right of way for railroad purposes through the United States military reservation at San Pedro, Cal.—to the Committee on Military Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 7840. An act granting an increase of pension to Lewis A. Towne.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 24111. An act to authorize the Norfolk and Western Railway Company to construct a bridge across the Potomac River, at or near Shepherdstown, W. Va.;

H. R. 21402. An act permitting the building of a dam across the Savannah River at Gregg Shoals;

H. R. 24047. An act to authorize Chapter No. 376 of the Daughters of the American Revolution to erect a fountain on the property of the United States at Paducah, Ky.; and

H. R. 24104. An act transferring Phelps County to the eastern division of the eastern judicial district of Missouri.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 7034) to incorporate the International Sunday School Association of America.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution No. 49.

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill (H. R. 16944) to amend section 878 of the Code of Law for the District of Columbia.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 7177. An act granting an increase of pension to Melvin L. Le Suer, alias James French;

S. 6510. An act granting an increase of pension to Sarah R. Williams;

S. 7096. An act granting an increase of pension to Margaret McCullough;

S. 6226. An act granting an increase of pension to Mary A. Mickler;

S. 5672. An act granting an increase of pension to Felix G. Murphy;

S. 549. An act granting a pension to Louis T. Frech;

S. 4819. An act for the relief of M. A. Johnson;

S. 4404. An act granting an increase of pension to Elizabeth B. Boyle;

S. 4350. An act for the relief of Arthur A. Underwood;

S. 2565. An act granting a pension to William P. Parrill;

S. 1879. An act granting an increase of pension to Lorenzo F. Harmon;

S. 1178. An act providing for the resurvey of a township of land in Colorado; and

S. 1160. An act to correct the military record of John McKinnon, alias John Mack.

DISTRICT OF COLUMBIA BUSINESS.

The SPEAKER. The Chair will state to the House that the Committee on the District of Columbia (this being District Day) seems to have a pretty large Calendar. The Chair trusts that the House may be in order during the consideration of this business.

CONDEMNATION OF LAND FOR STREETS.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill (H. R. 23384) to amend an act entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of land for streets."

The bill was read, as follows:

Be it enacted, etc., That the act of Congress approved April 30, 1906, and entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of land for streets," be, and the same is hereby, amended by changing the section thereof designated section 491g so as to read:

"SEC. 491g. That of the amount found to be due and awarded as damages for and in respect of the land to be condemned for said opening, extension, widening, or straightening, plus the costs and expenses of the proceeding, such amount shall be assessed by the jury as benefits, and to the extent of such benefits against the lots, pieces, or parcels of land on each side of the street, avenue, road, or highway to be opened, extended, widened, or straightened, and against any and all other lots, pieces, or parcels of land which the jury may find will be benefited by the opening, extension, widening, or straightening, as the jury may find said lots, pieces, or parcels of land will be benefited; and in determining the amounts to be assessed against said lots, pieces, or parcels of land the jury shall take into consideration the respective situations and topographical conditions of said lots, pieces, or parcels of land, and the benefits and advantages they may severally receive from the opening, extension, widening, or straightening of the street, avenue, road, or highway. And where part of any lot, piece, parcel, or tract of land has been dedicated for the opening, extension, widening, or straightening of the street, avenue, road, or highway, the jury, in determining whether the remainder of said lot, piece, parcel, or tract is to be assessed for benefits, and the amount of benefits, if any, to be assessed thereon, shall also take into consideration the fact of such dedication and the value of the land so dedicated. If the total amount of the damages awarded by the jury and the costs and expenses of the proceeding be in excess of the total amount of the assessments for benefits, such excess shall be borne and paid by the District of Columbia."

Mr. HEPBURN. Mr. Speaker, I should like to ask the gentleman in charge of this bill to explain that portion of it to be found beginning with line 15, page 2:

And where part of any lot, piece, parcel, or tract of land has been dedicated for the opening, extension, widening, or straightening of the street, avenue, road, or highway, the jury, in determining whether the remainder of said lot, piece, parcel, or tract is to be assessed for benefits, and the amount of benefits, if any, to be assessed thereon, shall also take into consideration the fact of such dedication and the value of the land so dedicated.

What I want to know is this: Suppose that a dedication is made by A, and B, C, and D own other parcels. Now, it seems to me that under the provisions of this act the benefits resulting from A's dedication might be applied to the benefit of B, C, and D.

Mr. OLCOTT. I disagree entirely with the gentleman from Iowa; but even if his construction of the amendment were right, the amendment merely directs the jury fixing the award and the benefits to take certain matters into consideration. It does not compel any change in action toward people who have dedicated property, but it does bring before the jury and make it imperative for them to have all of the facts before them when the matter is considered.

Mr. HEPBURN. I think the language will justify another construction than that. I think I did not make myself plain to the gentleman. Here we will say are four parties whose lots or parcels of land will be affected by a particular street opening. Now, A grants to the public a portion of that. The others do not. Here is a provision, it seems to me, that the dedication of A, being a benefit, shall be considered in estimating the damages of the other parties, B, C, and D.

Mr. OLCOTT. It seems to me that is a very strained construction of that provision. It says that where property has been dedicated for the opening the value of the land so dedicated shall be taken into consideration. It seems to me it would be a remarkably strained construction to say that because A dedicated some land that the value of some other land owned by B or C should be considered.

Mr. HEPBURN. That it should have the benefit of A's dedication.

Mr. OLCOTT. I do not think that could possibly be spelled out from this law. This is a matter which the corporation counsel has found to be a serious difficulty in condemnation proceedings. The amendment was prepared by the corporation counsel, and unquestionably the intention is that the dedication of A shall be considered in the awarding of benefits to A and not in the awarding of benefits to anybody else.

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

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

FREE LECTURES.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill (H. R. 24746) for free lectures.

The bill was read, as follows:

Be it enacted, etc., That the board of education of the District of Columbia be, and it is hereby, authorized to maintain a course or series of free evening lectures.

Mr. MADDEN. Mr. Speaker, I should like to ask the gentleman a question.

Mr. BABCOCK. Certainly.

Mr. MADDEN. I wish to say in connection with this proposal to enact a law to establish a bureau of free lectures within the District of Columbia that the Committee on Appropriations have looked carefully into the proposition, and after the most thorough investigation decided that it was an expenditure of money that ought not to be made. It has been made from time to time in the past, but the amount of good accomplished by the expenditure was not such, in the judgment of the Committee on Appropriations, as to warrant its continuance. A few days ago, while the Committee of the Whole House was considering the District of Columbia appropriation bill, an item of this kind was sought to be introduced into that bill by the distinguished gentleman from New York [Mr. OLCOTT], the author of this bill. The House at that time refused to adopt the amendment.

Mr. OLCOTT. If the gentleman will yield a moment——

Mr. MADDEN. Yes.

Mr. OLCOTT. The House refused to adopt the amendment because the chairman of the subcommittee on appropriations, the gentleman from Massachusetts [Mr. GILLETT], who had the bill in charge, raised against it a point of order, and it went out on that point.

Mr. MADDEN. Well, it was refused, at any rate, and the judgment of the Committee on Appropriations was and is that this expenditure should not be saddled upon the District. I believe this bill should not pass at this time, and I hope it will not.

Mr. MORRELL. Mr. Speaker, I would like to ask the gentleman his reasons for opposing the appropriation.

Mr. MADDEN. The reason the Committee on Appropriations opposed the appropriation was that it was simply the creation of a place to give employment to somebody, not because there was any desire on the part of anybody in the District to accomplish good for the District further than the good that might be accomplished by finding a place for somebody.

Mr. MORRELL. I would like to ask the gentleman a further question, as to whether he objects to the character of the lectures or the fact that free lectures should be given?

Mr. MADDEN. I object to the continuation of the lectures, for I believe that the public school system ought not to be saddled with expense of this character. The public education of the children of the District never contemplated the establishment of a lecture bureau outside of the schools. This expenditure is taken from the public moneys collected for educational purposes, intended to be expended through the public schools. The money heretofore has been spent for purposes not recognized by the school law.

Mr. MORRELL. Mr. Speaker, I would like to ask the gentleman another question. Does he know the number of those who attended these lectures during any one fiscal year?

Mr. MADDEN. Well, I do not recollect now the number, but we have the number in the record of the hearings.

Mr. MORRELL. As far as I can remember, it amounted to over 20,000 people who were benefited by this small expenditure called for in this bill. This is practically on the same lines, as I understand it, as the university extension. This bill as drafted, as I have read it and as it passed the committee, does not specify that the entire salary shall be given to any one particular individual, but that it should be applied for the purpose of free lectures. It does not, in other words, create any place.

Mr. SHACKLEFORD. Mr. Speaker, with the permission of the gentleman from Illinois [Mr. MADDEN] I would like to ask the gentleman from Pennsylvania [Mr. MORRELL] a question.

Who were these people that attended these lectures, school children or adults?

Mr. MORRELL. As far as I know there were a certain number of adults as well as school children.

Mr. SHACKLEFORD. Which predominated?

Mr. MORRELL. That I am unable to say.

Mr. MADDEN. These lectures are not intended for school children at all; they are intended for adults, and the adults under the school laws ought to be obliged to pay and are obliged to pay for their own education.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield to me for five minutes?

Mr. BABCOCK. Certainly; I yield.

Mr. FITZGERALD. Mr. Speaker, if this bill is passed, in my judgment, it should be amended in a very important respect. It should be amended so as to require these lectures to be delivered in the public school buildings. There have been in the past in the District of Columbia lectures given under an appropriation for free lectures——

Mr. OLCOTT. We will be perfectly willing to accept an amendment of that kind.

Mr. FITZGERALD. I will suggest it when I am finished. As I was saying, there have been in the past free lectures given under an appropriation for free lectures which were supposed to be for the benefit of persons whose early education had been neglected. It was in pursuance of a scheme of university extension that had been adopted with great success in other of the large cities of the country. The Committee on Appropriations when it undertook the investigation of this question in this session discovered this fact, that all of these lectures had been delivered at the Carnegie Library. The surroundings there are of such a character that the persons for whose benefit the lectures were originally intended felt out of place, and as a matter of fact those for whose benefit the lectures were intended never attended the lectures at all.

For persons whose early education has been neglected and for whose benefit this course of lectures was arranged there were lectures delivered during the past year upon such interesting and elevating subjects for such persons as "Spanish architecture," "Tone and tone-producing qualities," and subjects of a similar character that would be of peculiar advantage to persons whose early education has been neglected. There has been continued strife over this course of free lectures. One faction desired that the school-teachers be compelled to attend and that the lectures be restricted to the school-teachers. Another faction has contended that they should be given for the benefit of those whose early education has been neglected and that the subjects should be adapted for such purposes. The result has been, however, that the purpose of the appropriation has been entirely diverted, and lectures have not been given either on the subjects or in the places where they could be of benefit to these people. If a series of free evening lectures is to be instituted and given in the public schools in the District in those localities where the residents will not feel that they are out of place in attending them, with the subjects chosen such that they will be of some advantage to them, then there might be some justification for appropriations for this purpose; but to continue the practice now in vogue of conducting a series of free lectures at the Carnegie Library for a restrictive class of persons, for persons who are not in need of this character of instruction, and to select subjects that are far beyond the comprehension of persons whose early education has been neglected, makes it, to my mind, an utterly unjustifiable expense. With the permission of the committee, I desire to offer an amendment——

Mr. OLCOTT. I would like to ask whether the gentleman from New York will be satisfied if we add, "*Provided*, That such lectures shall be held in some public school building in the District." We will be very glad to accept such an amendment as that.

Mr. FITZGERALD. I think that would improve the bill immensely, and perhaps result in the selection of a class of subjects that would be of benefit to those for whom they are intended.

Mr. OLCOTT. Well, I suppose that matter should be left to the board of education.

Mr. FITZGERALD. It has been left to the board of education, and the result has been that all the lectures have been given at the Carnegie Library, where persons for whose benefit they were supposed to be held felt some delicacy about attending.

Mr. JAMES. Will the gentleman inform the House what is the cost of these lectures?

Mr. OLCOTT. Fifteen hundred dollars a year.

Mr. JAMES. For how many lectures?

Mr. OLCOTT. We had lectures lasting twenty-six weeks, and three or four a week.

Mr. JAMES. Upon what subjects are they—educational topics?

Mr. OLCOTT. They were upon general subjects; I can not give the complete list, but they were subjects of general practical interest to the people here.

Mr. STEPHENS of Texas. I desire to ask the gentleman a question.

Mr. OLCOTT. Certainly.

Mr. STEPHENS of Texas. I desire to ask the gentleman who selects these lecturers?

Mr. OLCOTT. They are selected by the board of education of the District of Columbia.

Mr. STEPHENS of Texas. Is a lecturer selected by the board of education to serve for a year?

Mr. OLCOTT. There are a number of lecturers. There is no specific lecturer, but the board of education obtain the services of several to deliver lectures upon different subjects at different times and different places.

Mr. STEPHENS of Texas. How much do they pay for the lecturers?

Mr. OLCOTT. I can not tell you. All I know is the total expense the board of education asked for was $1,500 a year.

Mr. STEPHENS of Texas. Then is this designed for the benefit of the students in the city schools that are under the age permitted to go to school, or is it designed for the general public?

Mr. OLCOTT. It is designed, of course, for the general public, but that includes the large number of children who can, under the laws of the District of Columbia, perform some work during the day and who do attend these lectures and who go there to get some of the education that they are deprived of by reason of their financial condition.

Mr. STEPHENS of Texas. Then let me ask the gentleman if he thinks this Government should endeavor to go beyond the free-school age and educate any person under 80 years of age? Is that the intention of this bill?

Mr. OLCOTT. I think the District of Columbia or the city of Washington can well follow the example of some of the great communities, especially the one I know most about—New York City—that has a most extensive series of lectures of the same character delivered in the public schools in the same way that we seek to have delivered here in the District.

Mr. STEPHENS of Texas. If the city of Washington or any city in the United States desires to instruct adult citizens, why should they not put up the money themselves and control it? Why should the General Government or a State government undertake to educate the adult citizens of any State or community?

Mr. OLCOTT. These are paid in the same manner that all appropriations for the city of Washington and District of Columbia are made. Half of it comes out of the District of Columbia treasury and half of it comes out of this Government. I think the gentleman's objection is rather to the method by which the District is financed. It is the city of Washington that is paying for these lectures.

Mr. STEPHENS of Texas. When a man becomes old the Government loses jurisdiction over him, and it is no longer the duty of any government to educate an adult citizen. We ought to educate the children of any city, State, or county, but we should not undertake to educate the adults of any city, State, or county.

Mr. OLCOTT. I do not think the gentleman would wish to be put in a position of declining to allow adults to go into these schools, when they are citizens here, and listening to the lectures.

Mr. STEPHENS of Texas. I would be in favor of maintaining the law for the child, but not for the adult, of any State or city.

Mr. BENNET of New York. Mr. Speaker, I sympathize with this bill probably because I have not had the educational advantages that my friend from New York [Mr. FITZGERALD] has. He is a college graduate. My course in public schools, or any incorporated schools, for that matter, comprised five months, and for the rest of my education I have had to depend on my own efforts and those of my mother and other members of the family. Therefore I sympathize with men and women who have arrived at mature years and who have not had the advantages that such men as my distinguished and very dear colleague has. I think we ought to be ashamed of ourselves to hesitate over the expenditure of so small a sum as $1,500 for the benefit of the laboring people and their wives and all those who have not had educational advantages.

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. BENNET of New York. Certainly.

Mr. MADDEN. Is he quite certain that we are giving these for the benefit of the laboring people and those who have not had college opportunities?

Mr. BENNET of New York. Mr. Speaker, I will say in answer to the gentleman that only last year I attended a meeting of the Central Labor Union of this city, at which this very provision was advocated for this very purpose, of giving laboring people and their wives and families the chance of obtaining this education. I do not vouch for the board of education, and I do not know whether they are fully performing their duty. They seem to be reversed in the courts with some degree of frequency, but the principle is all right, and if it is not being carried out according to its purpose and intent, then let us make the board of education carry it out that way.

Mr. MADDEN. Does the gentleman believe that this bill will compel the board of education to carry it out along the line of his thought?

Mr. BENNET of New York. I do not see why not. An amendment, I understand, is to be accepted by my colleague requiring these lectures to be given in a school building.

Mr. MADDEN. Heretofore the lectures have been given in the Carnegie Library building, amid gilt surroundings, where no one but aristocrats could attend the lectures.

Mr. BENNET of New York. That is going to be changed.

Mr. MADDEN. The lectures were upon subjects that only can be understood by those who have had a classical education.

Mr. BENNET of New York. That probably was an error.

Mr. MADDEN. I do not understand that the object of the gentleman from New York is to appropriate money to educate further along in classics those who have already been educated in that line.

Mr. BENNET of New York. Oh, no; I think it ought to be for the class of people who have not had the early advantages of education and those who have had just enough to give them a hunger for more; and they ought to have a chance to obtain it.

Mr. MADDEN. Will the gentleman make it so that it shall only be for this class of people?

Mr. BENNET of New York. You can not do that, of course, because once you give a public lecture you have got to let all in.

Mr. JAMES. Would you be willing to extend these free lectures to the various cities throughout the United States?

Mr. BENNET of New York. Of course we have no jurisdiction of that.

Mr. JAMES. We have just as much right, I will say to the gentleman from New York, to appropriate for free lectures in Kentucky or Texas as we have in the District of Columbia.

Mr. BENNET of New York. I will let my friend from California answer.

Mr. JAMES. This makes an extra tax on the whole of the people of the various States of this Union, and why should you lay it on the whole of the people for the benefit of these people here in the city of Washington while the whole people pay more taxes than they do?

Mr. KAHN. In answer to the gentleman from Kentucky I will say that in California all the university professors go all over the State and give these free lectures, and they are very largely attended.

Mr. JAMES. And the people of California pay for it?

Mr. KAHN. Yes.

Mr. JAMES. But the General Government would pay for this.

Mr. KAHN. The General Government has jurisdiction in the District of Columbia.

Mr. JAMES. I believe that if the people of the District want this they ought to pay for it, and they ought not to ask the other people of the country to pay for it.

Mr. KAHN. They do pay half.

Mr. JAMES. But not all.

Mr. BENNET of New York. That same criticism would of course apply to any appropriation for the schools. If you take the gentleman's view, the people of his State or my State are paying pro rata in the same way.

Mr. JAMES. You say that the laboring people want this appropriation?

Mr. BENNET of New York. They do.

Mr. JAMES. Have they petitioned for it?

Mr. BENNET of New York. They did last year.

Mr. JAMES. As I understand the wishes of the laboring people they are asking and begging for other legislation here before this House which they can not even get upon this floor for consideration that is of a great deal more benefit to them than this pitiful sum of $1,500.

Mr. BENNET of New York. That could be said possibly of any bill that is considered by the House.

Mr. MADDEN. As a matter of fact, does not the gentleman from New York know that the whole of this $1,500 will be absorbed as compensation to pay lecturers?

Mr. BENNET of New York. That is the way it ought to be, when furnished with the school buildings.

Mr. MADDEN. We have not the school buildings.

Mr. BENNET of New York. It is proposed now——

Mr. MADDEN. But we never had that up to now.

Mr. BENNET of New York. I am not talking about the past, but the present and the future. I look to the time when, with the school buildings, the whole $1,500 will be absorbed for lectures, and there will be no expense outside of light and heat or any other legitimate expense.

Now, every large city, I think, in the United States has these free lectures. We are charged with responsibility for the city of Washington, one of the largest in the whole United States, and I thoroughly agree with what the gentleman from Iowa [Mr. HEPBURN] said the other day, that it is our duty to make this city a model city, and we can not justify ourselves to our own consciences in refraining from doing it for the city of Washington when other cities, almost without exception, have adopted this plan as a part of their educational system. Why, in the Borough of Brooklyn, from which my friend Mr. FITZGERALD comes, last year there were 358,818 people who attended lectures in that borough alone—free public lectures. I have pictures of the crowded halls in that borough, showing that the houses were filled with the kind of people to whom lectures like that ought to be given. I hope the House will not be niggardly and will not be mean about a little matter of $1,500, but will gladly join in aiding the educational system of the District of Columbia in every respect, and putting it in every regard on as high a plane as that of any other large city. [Loud applause.]

The SPEAKER. It seems to the Chair that the amendment ought to be reported.

Mr. SIMS. I desire to have something to say on this bill before debate closes.

The SPEAKER. But an amendment has been offered and accepted which has not been reported.

Mr. OLCOTT. I will offer on behalf of the committee the following amendment:

The Clerk read as follows:

Insert at the end of the bill "*Provided*, That said lectures shall be held in some public school building."

Mr. SIMS. Mr. Speaker, I would like to have permission from the gentleman to add, and to be considered as part of that amendment, the words:

Provided, That the expense thereof shall be paid entirely from the revenues of the District of Columbia as appropriated from time to time by Congress.

Will you accept that as an amendment to your amendment?

Mr. OLCOTT. I will not accept it.

Mr. SIMS. Mr. Speaker, I wish to say a few words about the bill.

Mr. OLCOTT. How much time does the gentleman desire?

Mr. SIMS. I wish ten minutes.

Mr. OLCOTT. I yield to the gentleman ten minutes.

Mr. SIMS. Mr. Speaker, when the bill was brought up for consideration before the committee I was informed, or understood, that this proposition was in the appropriation bill and went out on a point of order made against the Appropriations Committee, and on this account I offered no resistance to the report of the bill. I have learned since that this is not a fact, but that the amendment was offered to the appropriation bill and went out on a point of order made by members of the Appropriations Committee. Having supported the bill under a misapprehension, I do not feel bound to support it here.

As to the nature of the lectures that have heretofore been given under the appropriation previously made, I think my friend from New York [Mr. BENNET] can learn whether or not they are suitable for gentlemen who had no early opportunities, like the gentleman and myself, and whether or not they are the kind of lectures that are demanded by the laboring people. For instance, take those delivered in 1905. The first one was by H. W. Wiley, Ph. D.; subject, "Feeding preservative to young men." How much did my friend from New York lose by not having been taught that in his early youth? How much will the children of the District of Columbia lose if they do not go to hear such a lecture as that?

What else? Here was another, by Mr. Henry Oldys; subject, "Bird notes." How much did my friend from New York [Mr. BENNET] lose by not having studied that in his early youth? How much do the laboring people lose by not knowing all about bird notes? I learned a great deal about bird notes by mixing with the birds when I had hold of the plow handles; but I have

never seen a laboring man who worked for a living who cared how those bird notes were made, just so he had the birds and the notes. [Laughter.]

Now, in my laboring days I lost a great deal by not having studied Spanish architecture, which was the subject of a lecture by Mr. George O. Totten, jr. How many of our laboring people are engaged in the study of Spanish architecture? Another one was "Round the world in forty minutes." How much did my friend from New York lose in not knowing how to go around the world in forty minutes? See what stingy and parsimonious gentlemen the members of the Appropriations Committee are in trying to deprive us laboring people of knowing how to go around the world in forty minutes. Gentlemen, you are niggardly.

Here is another one by Rev. U. G. B. Pierce, subject "A night in the nether world." Oh, my laboring friends, how you are denied opportunities to know about nights in the nether world. You can learn all about nights in the sweatshops, and some of those sweatshops are not very far from where the gentleman from New York lives. Now my friend wants to teach them about the nether world.

Mr. BENNET of New York. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. BENNET of New York. Only on one point. I did not want to interrupt the flow of your eloquence or your bird notes.

Mr. SIMS. I did not know it was flowing.

Mr. BENNET of New York. But as to the sweatshops in New York City I want to say what the gentleman refers to would have been true three years ago, but that 95 per cent of the sweatshops in New York City have ceased to exist since that time.

Mr. SIMS. I am glad to hear that; but what about the nether world? Is there anything going on in New York to enlighten people about that? [Laughter.]

Mr. BENNET of New York. Mr. Speaker, I will say that the gentleman from Tennessee and other people who do not live in New York, when they come there learn a great deal more about the nether world in New York City than we who live there all the time know about it. [Laughter.]

Mr. SIMS. It is the only opportunity we have to know anything about it, when we go to New York, while you people who live there in the nether world do not have to go out to learn about it. It just comes to you naturally. [Laughter.]

Now, I call your attention to another lecture delivered by Rev. John Van Schaick, jr., subject "Vacation days in Scotland." How cruel it is to deny our laboring people of the opportunity to hear about vacation days in Scotland. It is true we have a few vacation days here, called "holidays;" so many of them that there is hardly time to educate the children on account of the holidays, holy weeks, and holy months. Of course you want to tax your constituents and mine to let the laboring people of the District of Columbia know about vacation days in Scotland. Take this entire list of subjects from one end to the other and I could beat any man in my district who would run for office and claim to be a laboring man who would favor the expenditure of money for such purposes as this. One-half of this comes from the people of your State and mine, where they learn the bird notes from their own birds and at their own expense, and I think the amendment is a just one. If the people of the District of Columbia and the laboring people here want these lectures, let them pay for them, because we in our country do not need to know anything about nights in the nether world, about Spanish architecture, about bird notes, about vacation days in Scotland, about how to go around the world in forty minutes, or anything else covered by these lectures here. [Applause and laughter.]

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken; and the committee amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. JAMES) there were—ayes 81, noes 63.

Mr. SIMS. Mr. Speaker, I demand tellers.

Tellers were ordered.

Mr. OLCOTT and Mr. STEPHENS of Texas were appointed tellers.

The House again divided; and the tellers reported—ayes 72, noes 76.

Mr. OLCOTT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 112, nays 104, answering "present" 12, not voting 153, as follows:

YEAS—112.

Acheson	Cousins	Hull	Nelson
Allen, Me.	Cromer	Kahn	Olcott
Ames	Crumpacker	Keifer	Otjen
Babcock	Davidson	Kellher	Overstreet, Ind.
Barchfeld	Dawes	Kennedy, Nebr.	Parsons
Bartholdt	Dawson	Kinkaid	Pearre
Bates	Dovener	Knapp	Powers
Bede	Ellis	Knowland	Reeder
Bennet, N. Y.	Fassett	Lacey	Rhodes
Bonynge	Fitzgerald	Lafean	Rives
Bradley	Foster, Vt.	Landis, Frederick	Rodenberg
Brownlow	Fuller	Lilley, Pa.	Ruppert
Brumm	Gardner, Mass.	Littauer	Sherman
Buckman	Graham	Longworth	Sibley
Burke, S. Dak.	Greene	Lovering	Southard
Calder	Gronna	Lowden	Stafford
Campbell, Kans.	Hale	McCall	Sulloway
Campbell, Ohio	Haskins	McCarthy	Tawney
Capron	Hayes	McCreary, Pa.	Taylor, Ohio
Cassel	Henry, Conn.	McGavin	Towne
Chaney	Hepburn	McKinley, Ill.	Volstead
Chapman	Hermann	McNary	Vreeland
Cocks	Higgins	Mahon	Waldo
Cole	Hinshaw	Marshall	Wanger
Conner	Howell, N. J.	Martin	Watson
Cooper, Pa.	Hubbard	Moore, Pa.	Weeks
Cooper, Wis.	Huff	Mouser	Wiley, N. J.
Coudrey	Hughes	Murphy	Wood

NAYS—104.

Adamson	Garner	Lewis	Rucker
Beall, Tex.	Garrett	Lilley, Conn.	Russell
Bell, Ga.	Gilbert	Lloyd	Ryan
Bowers	Gilhams	McLain	Saunders
Bowersock	Gill	Macon	Scott
Brantley	Gillespie	Madden	Shackleford
Brick	Gillett	Mann	Shartel
Broocks, Tex.	Glass	Moon, Tenn.	Sheppard
Broussard	Gregg	Moore, Tex.	Sherley
Burleson	Hay	Murdock	Sims
Byrd	Hedge	Norris	Slemp
Candler	Heflin	Overstreet, Ga.	Smith, Ky.
Clark, Fla.	Henry, Tex.	Padgett	Smith, Md.
Clark, Mo.	Hogg	Page	Smith, Pa.
Clayton	Holliday	Patterson, N. C.	Smith, Tex.
Cushman	Hopkins	Patterson, S. C.	Snapp
Darragh	Houston	Pou	Sparkman
Davey, La.	Humphrey, Wash.	Prince	Spight
De Armond	James	Pujo	Stanley
Dixon, Ind.	Johnson	Randell, Tex.	Stephens, Tex.
Driscoll	Jones, Va.	Ransdell, La.	Thomas, N. C.
Ellerbe	Jones, Wash.	Rhinock	Trimble
Field	Lamar	Richardson, Ala.	Wallace
Flood	Lamb	Richardson, Ky.	Webb
Floyd	Lee	Robertson, La.	Young
Fulkerson	Lever	Robinson, Ark.	Zenor

ANSWERED "PRESENT"—12.

Bartlett	Finley	Hardwick	Jenkins
Butler, Pa.	Griggs	Humphreys, Miss.	Meyer
Deemer	Hamilton	Hunt	Small

NOT VOTING—153.

Aiken	Edwards	Lindsay	Smith, Cal.
Alexander	Englebright	Littlefield	Smith, Ill.
Allen, N. J.	Esch	Livingston	Smith, Iowa
Andrus	Flack	Lorimer	Smith, Samuel W.
Bankhead	Fletcher	Loud	Smith, Wm. Alden
Bannon	Fordney	Loudenslager	Smyser
Beidler	Foss	McCleary, Minn.	Southall
Bennett, Ky.	Foster, Ind.	McDermott	Southwick
Bingham	Fowler	McKinlay, Cal.	Sperry
Birdsall	French	McKinney	Steenerson
Bishop	Gaines, Tenn.	McLachlan	Sterling
Blackburn	Gaines, W. Va.	McMorran	Stevens, Minn.
Boutell	Garber	Maynard	Sullivan
Bowie	Gardner, Mich.	Michalek	Sulzer
Brooks, Colo.	Gardner, N. J.	Miller	Talbott
Brown	Goebel	Minor	Taylor, Ala.
Brundidge	Goldfogle	Mondell	Thomas, Ohio
Burgess	Goulden	Moon, Pa.	Tirrell
Burke, Pa.	Graff	Morrell	Townsend
Burleigh	Granger	Mudd	Tyndall
Burnett	Grosvenor	Needham	Underwood
Burton, Del.	Gudger	Nevin	Van Duzer
Burton, Ohio	Haugen	Olmsted	Van Winkle
Butler, Tenn.	Hearst	Palmer	Wachter
Calderhead	Hill, Conn.	Parker	Wadsworth
Cockran	Hill, Miss.	Payne	Washburn
Currier	Howard	Perkins	Watkins
Curtis	Howell, Utah	Pollard	Webber
Dale	Kennedy, Ohio	Rainey	Weems
Dalzell	Kitchin, Claude	Reid	Weisse
Davis, Minn.	Kitchin, Wm. W.	Reyburn	Welborn
Davis, W. Va.	Klepper	Reynolds	Wharton
Denby	Kline	Riordan	Wiley, Ala.
Dickson, Ill.	Knopf	Rixey	Williams
Dixon, Mont.	Landis, Chas. B.	Roberts	Wilson
Draper	Law	Samuel	Woodyard
Dresser	Lawrence	Schneebell	
Dunwell	Le Fevre	Scroggy	
Dwight	Legare	Slayden	

So the bill was passed.

The Clerk announced the following pairs:

For the vote:

Mr. DALZELL with Mr. SULLIVAN.

Mr. GROSVENOR with Mr. GRANGER.
Mr. PAYNE with Mr. WILLIAMS.
For the day:
Mr. ALEXANDER with Mr. BANKHEAD.
Mr. BANNON with Mr. AIKEN.
Mr. BIRDSALL with Mr. BURNETT.
Mr. BOUTELL with Mr. GRIGGS.
Mr. BUTLER of Pennsylvania with Mr. BARTLETT.
Mr. CALDERHEAD with Mr. GAINES of Tennessee.
Mr. DALE with Mr. BOWIE.
Mr. DAVIS of Minnesota with Mr. HOWARD.
Mr. DENBY with Mr. GARBER.
Mr. DICKSON of Illinois with Mr. HILL of Mississippi.
Mr. DOVENER with Mr. LINDSAY.
Mr. DRAPER with Mr. GOULDEN.
Mr. DUNWELL with Mr. WATKINS.
Mr. FRENCH with Mr. VAN DUZER.
Mr. GARDNER of Michigan with Mr. TAYLOR of Alabama.
Mr. HAMILTON with Mr. BURGESS.
Mr. JENKINS with Mr. WEISSE.
Mr. KENNEDY of Ohio with Mr. GUDGER.
Mr. LAWRENCE with Mr. HEARST.
Mr. LE FEVRE with Mr. WILLIAM W. KITCHIN.
Mr. BURLEIGH with Mr. BUTLER of Tennessee.
Mr. LOUDENSLAGER with Mr. LIVINGSTON.
Mr. MCKINNEY with Mr. RAINEY.
Mr. MUDD with Mr. TALBOTT.
Mr. NEEDHAM with Mr. MAYNARD.
Mr. FORDNEY with Mr. SOUTHALL.
Mr. OLMSTED with Mr. REID.
Mr. PERKINS with Mr. GOLDFOGLE.
Mr. REYNOLDS with Mr. RIXEY.
Mr. SAMUEL W. SMITH with Mr. SLAYDEN.
Mr. WM. ALDEN SMITH with Mr. SULZER.
Mr. SOUTHWICK with Mr. CLAUDE KITCHIN.
Mr. THOMAS of Ohio with Mr. LEGARE.
Mr. TIRRELL with Mr. WILEY of Alabama.
Mr. WOODYARD with Mr. HARDWICK.
Until further notice:
Mr. BINGHAM with Mr. COCKRAN.
Mr. LORIMER with Mr. HUMPHREYS of Mississippi.
Mr. MORRELL with Mr. RIORDAN.
Mr. SMITH of Iowa with Mr. BRUNDIDGE.
Mr. WACHTER with Mr. SMALL.
For the session:
Mr. CURRIER with Mr. FINLEY.
Mr. DEEMER with Mr. KLINE.
Mr. FOSS with Mr. MEYER.
Mr. VAN WINKLE with Mr. MCDERMOTT.

Mr. WILEY of Alabama. Mr. Speaker, I desire to be recorded as "present."

The SPEAKER pro tempore (Mr. CAPRON). Has the gentleman already voted?

Mr. WILEY of Alabama. No, sir.

The SPEAKER pro tempore. Was the gentleman present and listening when his name was called or should have been called?

Mr. WILEY of Alabama. No, sir; I was just outside.

The SPEAKER pro tempore. Then the gentleman's vote can not be recorded.

The result of the vote was announced as above recorded.

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

ALBEMARLE STREET, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill (H. R. 23940) for the extension of Albemarle street NW., District of Columbia.

The SPEAKER pro tempore. The gentleman from Wisconsin asks present consideration of the bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That under and in accordance with the provisions of sections 491a to 491n, both inclusive, of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within sixty days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the opening of Albemarle street, from Wisconsin avenue to Murdock Mill road, with the uniform width of 90 feet, according to the permanent system of highway plans adopted in and for the District of Columbia.

SEC. 2. That assessments shall be made by the jury as benefits as contemplated in section 491g of the subchapter of the Code hereinbefore referred to: *Provided*, That the total amount found to be due and awarded as damages, plus the cost and expenses of the proceedings, shall be assessed by the said jury as benefits.

SEC. 3. That the sum of $300, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the District of Columbia to provide the necessary funds for the costs and expenses of the condemnation proceedings taken pursuant hereto, to be repaid to the District of Columbia from the assessments for benefits when the same are collected, and a sufficient sum to pay the amounts of all judgments and awards is hereby appropriated out of the revenues of the District of Columbia.

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

THE EXTENSION OF SCHOOL STREET NW.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 24932) for the extension of School street NW.

The SPEAKER pro tempore. The gentleman from Wisconsin asks for the present consideration of the bill which the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That under and in accordance with the provisions of section 491a to 491n, both inclusive, of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within sixty days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute, in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the extension of School street NW. from its present southern terminus to Irving street with a width of 50 feet.

SEC. 2. That assessments shall be made by the jury as benefits as contemplated in section 491g of the subchapter of the Code hereinbefore referred to: *Provided*, That the total amount found to be due and awarded as damages, plus the cost and expenses of the proceedings, shall be assessed by the said jury as benefits.

SEC. 3. That the sum of $600, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the District of Columbia to provide the necessary funds for the costs and expenses of the condemnation proceedings taken pursuant hereto, to be repaid to the District of Columbia from the assessment of benefits when the same are collected, and a sufficient sum to pay the amounts of all judgments and awards is hereby appropriated out of the revenues of the District of Columbia.

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

WIDENING OF MILLS AVENUE.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 9326) for the widening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street.

The Clerk read the amendment in the nature of a substitute, as follows:

Be it enacted, etc., That under and in accordance with the provisions of sections 491a to 491n, both inclusive, of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within sixty days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the opening of Mills avenue, with a width of 50 feet, from Rhode Island avenue to its intersection with Twenty-fourth street NE.; said condemnation to be wholly to the westerly of the present easterly side of the private road known as "Mills avenue."

SEC. 2. That assessments shall be made by the jury as benefits as contemplated in section 491g of the subchapter of the Code hereinbefore referred to: *Provided*, That the total amount found to be due and awarded as damages, plus the cost and expenses of the proceedings, shall be assessed by the said jury as benefits.

SEC. 3. That the sum of $300, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the District of Columbia to provide the necessary funds for the costs and expenses of the condemnation proceedings taken pursuant hereto, to be repaid to the District of Columbia from the assessment for benefits when the same are collected, and a sufficient sum to pay the amounts of all judgments and awards is hereby appropriated out of the revenues of the District of Columbia.

SEC. 4. That the Commissioners of the District of Columbia are hereby authorized to prepare a new highway plan for that portion of the District of Columbia lying west of said Mills avenue, north of Frankfort street, east of Twentieth street, and south of Rhode Island avenue NE., under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to said act approved June 28, 1898; that upon the completion and recording of said new highway plan it shall take the place of and stand for any previous plan for said portion of the District of Columbia.

The substitute amendment was agreed to.

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

The title was amended so as to read: "A bill for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street."

INCORPORATION OF BANKS WITHIN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 21669) to provide for the incorporation of banks within the District of Columbia.

The Clerk read as follows:

Be it enacted, etc., That associations for carrying on the business of banking within the District of Columbia may be formed by any number of natural persons, not less in any case than five, by entering into articles of association and executing an organization certificate in the same manner and to the same extent as prescribed by sections 5133, 5134, and 5135 of the Revised Statutes of the United States relating to the organization of national banks. Upon duly making and filing articles of association and an organization certificate with the Comptroller of the Currency in the manner provided by the foregoing sections, the association shall become, as from the date of the execution of its organization certificate, a body corporate, and as such it shall have power to do a general

banking business within the District of Columbia, when authorized by the Comptroller of the Currency, in the manner provided by section 5169 of the Revised Statutes of the United States, but no association shall be organized under this act with a less capital than $100,000, divided into shares of $100 each. Such capital shall be paid in cash in the manner prescribed by sections 5140 and 5141 of the Revised Statutes of the United States, and the shareholders shall be held individually responsible, equally and ratably, and not for one another, for all contracts, debts, and engagements of such association to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares, and such liability may be enforced by the Comptroller of the Currency in the manner provided by the national banking laws.

SEC. 2. That any savings bank, or savings company, or trust company, or other banking institution organized under authority of the Code of Law for the District of Columbia, approved March 3, 1901, as amended by the acts approved January 31 and June 30, 1902, or organized by virtue of the laws of any of the States of this Union, and having an office or banking house located within the District of Columbia where deposits or savings are received, may become a banking association under this act in the manner provided by section 5154 of the Revised Statutes of the United States relating to the conversion of State banks into national associations.

SEC. 3. That from and after the 1st day of ——, anno Domini 1907, no person, company, association, copartnership, or corporation, except associations organized under the national-bank act, corporations organized under an act of Congress entitled "An act to provide for the incorporation of trust, loan, mortgage, and certain other corporations within the District of Columbia," approved October 1, 1890, and corporations organized under this act, shall transact a banking business, or maintain an office or banking house where deposits or savings are received, within the District of Columbia. Any person, and any officer or agent of any company, firm, or corporation who shall wilfully violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment not longer than two years, or by both said punishments, in the discretion of the court.

SEC. 4. That section 5209 of the Revised Statutes of the United States, providing for the punishment of offenses against the national banking laws, shall apply to organizations formed or converted under this act.

The committee amendment was read, as follows:

Page 3, strike out all, commencing with the word "that," in line 5, down to and including the word "Columbia," in line 15, and insert in lieu thereof the following:

"That from and after the 1st day of January, A. D. 1908, no person, company, association, copartnership, or corporation shall transact a banking business or maintain an office or banking house where deposits or savings are received, within the District of Columbia, except associations organized under the national-bank act, corporations organized under an act of Congress entitled 'An act to provide for the incorporation of trust, loan, mortgage, and certain other corporations within the District of Columbia,' approved October 1, 1890, except also any person, firm, or company regularly licensed to engage in the business of private banking in the District of Columbia prior to the 1st day of January, 1906, and corporations organized under this act."

Mr. MANN. I think we ought to have some explanation as to what the changes are and what the objects are.

Mr. OLCOTT. I yield to the gentleman from Illinois [Mr. MANN] and others.

Mr. MANN. The "gentleman from Illinois" is seeking information.

Mr. OLCOTT. I will be very glad to give the gentleman all the information that I can. Mr. Speaker, this is a bill that was introduced to correct the abuses that have grown up in the District of Columbia by reason of certain banking corporations being rather loosely governed. The bill was supported by the gentleman from Pennsylvania [Mr. KLINE], who is unavoidably absent, and I have been asked to report the bill. The amendment that is suggested provides the same care in allowing incorporations of banking institutions here as is made necessary by the national banking act. It necessitates a fully paid-in capital of $100,000, with the same stock liability on these banks that may hereafter be organized in the District of Columbia as is required now under the national banking act.

Mr. MANN. In an incorporation what is the present limit as to the amount?

Mr. OLCOTT. I can not tell what the present limit is. I think it may be in the report, but if you will allow me just one moment, I will say that the bill has been entirely approved by the Comptroller of the Currency and makes these new banks to be established directly responsible to the Comptroller, and brings them under the general supervision of the Comptroller of the Currency in the same manner that the national banks are, and makes the stockholders liable in the same way for the par value of their stock.

Mr. MANN. Of course no one, I think, will object to that, but is there nothing else in the bill?

Mr. OLCOTT. There is nothing else in the bill. The bill was introduced by and had the sanction of the gentleman from *Pennsylvania* [Mr. KLINE], who is the member of the committee most conversant with banking matters, and is in the line of safe and conservative banking, and to prevent what we might call "wild-cat" banking concerns, which have frequently existed.

Mr. STAFFORD. Will the gentleman explain what the present requirements are for the granting of licenses to private bankers? I notice in the bill that there is an amendment which excepts from the operation of this act those doing a private banking business who have received a license prior to the 1st day of January, 1906. I would like to have the gentleman explain the regulations which are in force under the present method, and what the reason is for making this exception.

Mr. OLCOTT. Exception was made because it was conclusively shown to the committee, and especially to the subcommittee which had this matter in charge, that there were four private banking institutions which would be affected by this who had received heretofore, under the general law, licenses and whose credit was of such high standing that it seemed unfair to them to change their method of business in any way whatever.

Mr. STAFFORD. Will not this bill by forbidding licenses in the future to private bankers give these four a monopoly and a great and undue advantage over all other persons who will be hereafter required to do a banking business under the provisions in this bill?

Mr. OLCOTT. I am quite certain that will not obtain, because these licenses compel the proper report to the Comptroller and, I believe, are hedged around by every possible safety.

Mr. STAFFORD. What objection could be advanced by these private bankers to being compelled to incorporate and operate under the general provisions of this proposed law as originally intended? It is certainly giving four or five private bankers an undue advantage over others simply because they have been established heretofore.

Mr. OLCOTT. Because they have been established and have been doing such an entirely conservative, proper, and substantial banking business for so many years it would seem as if injustice would be done them——

Mr. STAFFORD. But you are denying that privilege to all others who might seek that privilege hereafter, and you are giving these four bankers a decided advantage by permitting them to continue. What objection could be made, if the committee thought it advisable, to have all persons doing a banking business incorporate under the general provisions and report as required in this bill?

Mr. OLCOTT. I think that one of these particular banks that was most recently established was established in 1856.

Mr. STAFFORD. There are many instances of private banks who subsequently incorporated, and I would like to have the gentleman advance some reason or state what hardship would be entailed to provide that these bankers should incorporate under the provisions of this bill, rather than giving them a special privilege.

Mr. BABCOCK. Well, I can say to the gentleman that there are four or five institutions here that are bankers and brokers. They have a name that is their capital and credit—their reputation. They appeared before the committee, appeared before the Commissioners, and also before the Comptroller of the Currency, and the bill was amended at the suggestion and by the consent of the Comptroller and the Commissioners to omit these three or four old-established concerns.

Mr. STAFFORD. What privilege would these private bankers have which they would not have if they were incorporated under the provisions of this bill?

Mr. BABCOCK. They have no privileges, except they have an old name which is a part of their capital.

Mr. STAFFORD. The Riggs National Bank formerly did business as private bankers under the name of Riggs & Co., and subsequently were incorporated. What reason can the gentleman give why these establishments should be given this special privilege?

Mr. OLCOTT. I think I can answer the gentleman by reading from the second page of the report:

The amendment which your committee recommends, exempting the regularly licensed private banks, was recommended by the Commissioners after the bill had been introduced. Your committee is informed that this provision will result in exempting from the provisions of the act four copartnerships which have been doing business in the District, one since 1856, and the youngest since 1890. These firms do not conduct a general banking business, do not receive savings deposits, the chief element of their business being for the convenience of their patrons for whom they make investments.

Mr. STAFFORD. But what hardship would it entail upon these private bankers if they were required to be incorporated?

Mr. OLCOTT. The Comptroller of the Currency has also specially sanctioned this amendment.

Mr. STAFFORD. But the Comptroller, in this language, says that it might be a convenience, in effect, to these private bankers if they be allowed to continue the private banking privilege; but you do not advance any reason why they should not be required to incorporate under the general law.

Mr. BABCOCK. Why, Mr. Speaker, these concerns are all

doing principally a brokerage business. They call themselves bankers and brokers.

Mr. MANN. Will the gentleman yield to me?

Mr. BABCOCK. Now, if they are incorporated they would have to abandon their business as brokers; and if this law went into effect they could not receive the deposits of their customers. It would practically drive them out of business.

Mr. STAFFORD. But there are a great many other brokers who would be permitted to continue.

Mr. BABCOCK. There are only four of these concerns.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. BABCOCK. Certainly.

Mr. MANN. Do I understand that these are stock brokers?

Mr. BABCOCK. They are brokers and investment houses, not doing a banking business; but that is all they can do under the provisions of this law.

Mr. MANN. As I understand, they are ordinary stock brokers.

Mr. BABCOCK. Yes.

Mr. MANN. And they receive money on deposit so as to have the money there with which to make purchases or have money on deposit which they realize from purchases or sales?

Mr. BABCOCK. Yes.

Mr. MANN. Now, then, does the gentleman mean that this bill is to prohibit anybody else engaging in the broker business in the District of Columbia, except these four concerns now engaged in business?

Mr. BABCOCK. Oh, no.

Mr. MANN. Would not that be the effect?

Mr. BABCOCK. Oh, no; but they are given the right to use the name of bank; that is all.

Mr. MANN. But that is not what the bill says at all.

Mr. OLCOTT. That is exactly what it does.

Mr. BABCOCK. That is exactly the proposition. We have had the same situation in the State of Wisconsin.

Mr. OLCOTT. And in New York.

Mr. MANN. If the gentleman will pardon me, I thought the gentleman was mistaken. This bill says: "No person shall transact a banking business or maintain a business or banking house where deposits are received." So that under this bill "no person," "no partnership," "no concern" of any kind can hold an office or receive deposits of money, which means that no new brokerage house can be established in Washington. This bill would be purely in the interest, but not intentionally, of those four brokerage concerns now in Washington, and no new concern could be established. I do not know their names and do not do any business with them.

Mr. FITZGERALD. Would not that result in establishing a monopoly in the brokerage business in the four concerns that are now engaged in it?

Mr. BABCOCK. No.

Mr. FITZGERALD. Why not?

Mr. BABCOCK. There are 50 other brokers here, and it would not have that effect at all.

Mr. MANN. The gentleman's claim was that it was absolutely necessary, in order to conduct a brokerage business, that the brokers should be entitled to receive deposits, or to retain deposits after moneys had been realized.

Mr. BABCOCK. The gentleman well knows that if he gives a broker an order to buy a thousand dollars' worth of bonds, when he gives his order he has to make a deposit of either the whole or a part of what is to be paid for the bonds. That is the business of a broker; but these brokers can not do a banker's business—the receiving of deposits of money for safe-keeping or anything of that kind.

Mr. MANN. The gentleman does not confine the bill to the banking business. This bill says:

> No person, company, association, partnership, or corporation shall transact a banking business or maintain an office where deposits are received.

Mr. FINLEY. I wish to ask the gentleman from Illinois, could not these four brokerage firms incorporate as a bank and retain their names and then separate their banking and brokerage business, and go on?

Mr. MANN. Of course; that is undoubtedly correct. I have no expression of opinion to make as to whether these brokers should be required to incorporate or not, but I do not see the object of passing a law which turns over all the brokerage business to four concerns, whoever they may be. I do not know the names of them, and I do not know whom they are.

Mr. OLCOTT. These four particular concerns are the only ones that do a banking business along with a brokerage business. It is not going to affect the other brokers.

Mr. MANN. But the gentleman proposes to give them a monopoly.

Mr. OLCOTT. Oh, no.

Mr. MANN. Oh, yes.

Mr. OLCOTT. Of the brokerage business—not in the slightest degree. We propose to allow them to continue the business they now carry on, which has the sanction of the Comptroller of the Currency, who has looked after it with a great deal of care.

Mr. MANN. The business of the Comptroller of the Currency is only to look at it from the banking standpoint.

Mr. OLCOTT. I presume he has.

Mr. MANN. But you go away beyond the banking provision. You provide that nobody shall maintain an office where deposits are received.

Mr. OLCOTT. We do not go beyond anything that the Comptroller of the Currency has approved.

Mr. MANN. I say the approval of the Comptroller of the Currency on such a proposition is valueless. That is not the duty of the Comptroller of the Currency. He does not interest himself on that point. The Comptroller of the Currency confines his recommendation to those matters that come within the jurisdiction of his office, and that is only the matter of banking. You go away beyond that.

Mr. SHERLEY. Does the committee consider that a broker should not be permitted to do a banking business?

Mr. OLCOTT. It considers, and the bill provides, that a broker shall not do business as a banker and use the words "banker" or "banking house."

Mr. SHERLEY. Did the committee think it fair that these four firms should be excluded from what they considered to be a salutary rule?

Mr. OLCOTT. The four concerns referred to have been required to obtain banking licenses, and have obtained them. Brokers are not required to obtain banking licenses. The committee considered that those who prior to 1890 obtained these licenses should not have their licenses revoked by the operation of this bill. They are the only four people concerned, because they are the only people who have obtained licenses.

Mr. SHERLEY. That makes it all the worse. If I understand the contention of the committee aright, it is this: You propose to divorce the brokerage business from the banking business. Is that true?

Mr. OLCOTT. Yes; to the extent of using the words "banking house" or "banker."

Mr. SHERLEY. Now, although you think that is salutary, yet because there happened to be four men who do now combine the two businesses, they are to be excepted from the operation of this bill.

Mr. OLCOTT. We are allowing the people who have already received bankers' licenses from the Comptroller of the Currency to go on and act under those licenses, and not take them away from them.

Mr. SHERLEY. Does the gentleman consider that it becomes right to have the brokerage and banking business united because it has so existed with the gentleman, but wrong for those who have not heretofore united the two pursuits?

Mr. OLCOTT. "The gentleman" does not consider that at all.

Mr. SHERLEY. Then what equity exists because these men have been doing something which you now, as a committee, declare is not a proper thing to be done, to wit, the joining of a banking and brokerage business?

Mr. OLCOTT. "The gentleman" does believe that when a license has been given by the United States of America, through its Comptroller of the Currency, these people should not easily be divested of their vested rights.

Mr. SHERLEY. The gentleman thinks, then, that if a wrong has been done, having been done, it should be a continuing wrong?

Mr. OLCOTT. I do not think that is a fair conclusion to be reached. I ask for a vote, Mr. Speaker.

The SPEAKER pro tempore. The question is on the adoption of the amendment.

The question was taken; and on a division (demanded by Mr. OLCOTT) there were—ayes 27, noes 31.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. BABCOCK. Mr. Speaker, before that question is taken I think I ought to say that I do not think the bill is in such shape, without the committee amendment, as will meet the approval of the House. I therefore ask unanimous consent to withdraw the bill at this time.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to withdraw the bill at this time.

Mr. BABCOCK. And I would ask that it be recommitted to the Committee on the District of Columbia.

The SPEAKER pro tempore. Is there objection? Without

objection, it will be so ordered. [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Speaker, what is the request? It was impossible to hear the Chair state the request.

The SPEAKER pro tempore. The request was that the bill be withdrawn and be recommitted to the Committee on the District of Columbia, and the Chair will state that there seemed to the Chair to be no objection.

Mr. FITZGERALD. Mr. Chairman, I desire to move that the bill do lie upon the table, if I have an opportunity.

Mr. BABCOCK. Oh, Mr. Speaker, I think the gentleman is too late.

Mr. FITZGERALD. Oh, no. I was unable to hear the request stated by the Chair, and would have objected had I heard it.

The SPEAKER pro tempore. The Chair thinks the gentleman was on his feet, and if he was on his feet the Chair would be inclined to think that he was in time.

Mr. FITZGERALD. I was endeavoring to ascertain the request that the Chair was stating. I did not hear it.

The SPEAKER pro tempore. The Chair will assume that the gentleman was in time to make objection, if he so desired.

Mr. PAYNE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PAYNE. Would it be in order now to move to recommit the bill to the committee?

The SPEAKER pro tempore. The Chair put it as a request for unanimous consent, but a motion of the kind made by the gentleman from Wisconsin would be in order, if he desires to make that motion.

Mr. BABCOCK. Mr. Speaker, then I move that the bill be recommitted to the Committee on the District of Columbia.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Wisconsin that the bill be recommitted to the Committee on the District of Columbia.

Mr. SHERLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SHERLEY. Would a motion that the bill do lie upon the table be in order and take precedence of the motion to recommit?

The SPEAKER pro tempore. The motion to lay upon the table would have precedence.

Mr. SHERLEY. Then I move that the bill do lie upon the table.

Mr. BABCOCK. Then I wish to say to the gentleman——

Mr. SHERLEY. I suggest that that is a motion which is not debatable.

The SPEAKER pro tempore. The Chair will state to the gentleman that the motion to lay upon the table is not debatable, if that point be made.

Mr. BABCOCK. I wish to make a statement with reference to the matter.

The SPEAKER pro tempore. Is there objection to a statement being made by the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. BABCOCK. Mr. Speaker, this bill comes originally from the Comptroller of the Currency through the Commissioners and contains very many important features. I think it would be unfortunate and a mistake to lay the bill on the table. Whether the committee can re-report it in such form as will meet the approval of the House I can not say at this time, but I certainly think it will be an error to lay it on the table, and I hope that will not be done.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Kentucky that the bill do lie on the table.

The question was taken; and on a division (demanded by Mr. SHERLEY) there were—ayes 25, noes 56.

So the motion was rejected.

The SPEAKER pro tempore. The question now recurs on the motion of the gentleman from Wisconsin that the bill be recommitted to the Committee on the District of Columbia.

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

PROTECTION OF PROPERTY IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the bill (H. R. 23941) to amend section 14 of the act approved July 29, 1892, entitled "An act for the preservation of the public peace and the protection of property within the District of Columbia," which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 14 of the act approved July 29, 1892, entitled "An act for the preservation of the public peace and the protection of property within the District of Columbia," be amended by inserting after the phrase "between the setting and rising of the sun" the following: "And no person shall kindle or set on fire, or be present, aiding, consenting, or causing such to be done, in any front or rear yard or inclosed ground or lot at any time, within 200 feet of any premises, stable, shed, or other building, or inflammable structure or property, any box, barrel, refuse, straw, shavings, or other combustible;" so that the said section shall read as follows:

"SEC. 14. That it shall not be lawful for any person or persons within the limits of the District of Columbia to kindle or set on fire, or be present, aiding, consenting, or causing it to be done, in any street, avenue, road, or highway, alley, open ground, or lot, any box, barrel, straw, shavings, or other combustible, between the setting and rising of the sun, and no person shall kindle or set on fire, or be present, aiding, consenting, or causing such to be done, in any front or rear yard or inclosed ground or lot at any time, within 200 feet of any premises, stable, shed, or other building, or inflammable structure or property, any box, barrel, refuse, straw, shavings, or other combustible; and any person offending against the provisions of this act shall, on conviction thereof, forfeit and pay a sum not exceeding $10 for each and every offense."

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

RECOPYING OLD RECORDS IN OFFICE OF RECORDER OF DEEDS.

Mr. BABCOCK. Mr. Speaker, I call up the bill H. R. 22350, to authorize the recorder of deeds of the District of Columbia to recopy old records in his office, and for other purposes, and which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the recorder of deeds of the District of Columbia be, and he hereby is, authorized and directed to recopy such of the records in his office as may, in his judgment and that of the supreme court of said District, or one of its justices appointed by it for that purpose, need recopying in order to preserve the originals from destruction: *Provided*, That the expense thereof shall not in any one fiscal year exceed the sum of $1,000, at a rate of compensation not exceeding that now authorized, certified to by the said supreme court, or by one of its justices appointed by it for that purpose, and audited and allowed by the proper accounting officer of the Treasury.

SEC. 2. That section 553 of the Code of Law for the District of Columbia be so amended as to give authority to the recorder of deeds of the said District to appoint a cashier for his office and pay said cashier a salary not exceeding ——— dollars per annum, to be certified to and audited and allowed as now provided.

With the following committee amendment:

Strike out all of section 2.

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. GILBERT. Mr. Speaker, I would like to have some information about this bill. It seems to me that there is something extraordinary in some of its sections. Why should the copying of all of the records in that office be left to the sole discretion of the clerk? Why should he have authority to determine how much of the records in the office shall be copied?

Mr. TAYLOR of Ohio. Mr. Speaker, it seems that a large number of the records in the office of the recorder of deeds are very, very old. Some of them are as old as a hundred and twelve years.

Mr. GILBERT. I am not speaking of that.

Mr. TAYLOR of Ohio. If you will let me proceed, I will explain the purpose of this bill. That is what you asked about. The records have become very much mutilated and in some cases are in very bad shape. The object of the bill is to provide for their recopying and is restricted to $1,000 a year expenditure, so that there shall be a gradual renewing and bringing up of these old and worn-out records in order to preserve them without any danger of clouding the titles to property in this District. It does not provide for the expenditure of any large sum of money at one time, but the bill provides that not to exceed $1,000 a year shall be spent, not out of the Public Treasury, but out of the revenues of the office which are in excess of the expenses, and thereby gradually bring these records to a state of perfection and in that way preserve the papers and render the danger of loss or mutilation nil.

Mr. GILBERT. My question was directed to an entirely different proposition, and that was, conceding the records were old and mutilated, it occurred to me it would not be proper to delegate to the clerk the sole power to determine whether those records were mutilated so as to require their copying or not. He himself, deriving a revenue from the copying, would of course proceed to spend the thousand dollars a year for that purpose, whereas if the secretary or some other——

Mr. TAYLOR of Ohio. That is exactly what the bill provides, if the gentleman will read, that the judgment as to what records shall be restored lies with the justices of the supreme court of the District, and they direct him how to expend not to exceed $1,000 a year.

Mr. GILBERT. Then, Mr. Speaker, I have improperly obtruded myself in this discussion. I did not hear that feature of the bill read at the outset.

Mr. TAYLOR of Ohio. That is in the bill.

The amendment was agreed to.

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

REGISTERED NURSES.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill (H. R. 12690) to define the term of "registered nurse" and to provide for the registration of nurses in the District of Columbia.

The Clerk read as follows:

Be it enacted, etc., That from and after the expiration of the ninety days immediately following the passage of this act no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a registered nurse, or allow herself to be so represented, unless she has been and is registered by the nurses' examining board in accordance with the provisions of this act.

SEC. 2. That upon the taking effect of this act the Graduate Nurses' Association of the District of Columbia shall nominate ten of its members who have had not less than five years' experience in the profession. These nominations shall be submitted to the Commissioners of the District of Columbia, who shall, from said nominations, appoint, within thirty days after said nominations are submitted to them, a nurses' examining board to be composed of five members. All appointments shall be made so that the term of one member shall expire on the 30th day of June of each year, and upon the expiration of the term of office of any examiner the said Commissioners shall likewise fill the vacancy for a term of five years from a list of three nominees submitted to them each year by the Graduate Nurses' Association of the District of Columbia. An unexpired term shall be filled by said Commissioners from three additional names furnished by the Graduate Nurses' Association upon request of the said Commissioners. No member of said board shall enter upon the discharge of her duties until she has taken oath to faithfully and impartially perform the same; and the said Commissioners may remove any member of said board for neglect of duty or for any just cause.

SEC. 3. That the nurses' examining board shall meet in the District of Columbia within ten days after their appointment and organize the board, and annually thereafter shall meet in the month of April and shall elect from its members a president, and also a secretary who shall be treasurer. It shall frame all such by-laws as it shall deem necessary for carrying into effect the provisions of this act, and may amend such rules from time to time at discretion of said board. The secretary shall be required to keep a record of all meetings of the board, and also a register of the names of all nurses duly registered under this act, and to furnish a certificate of registration to all such nurses. The said board shall hold examinations not less frequently than once a year, and the notice of each examination shall be given in one daily newspaper published in Washington City and in one nursing journal at least thirty days prior to said examination.

SEC. 4. That every nurse desiring to style herself "a registered nurse" in the District of Columbia shall make application to the nurses' examining board for registration, and at the time of making such application shall pay to the treasurer of said board $5. Said applicant must furnish satisfactory evidence that she is over 23 years of age, of good moral character, and free from habits liable to interfere with her services as a nurse, and, further, that she holds a diploma from a training school for nurses which has been registered by the nurses' examining board of the District of Columbia: *Provided, however*, That no training school shall be registered which does not maintain proper educational standards and give not less than two years' training in a general hospital, or instruction of the same kind, and, to at least the same extent, as that given in the general hospital, all of which shall be determined by the nurses' examining board.

SEC. 5. That any person possessing the qualifications required in section 4 of this act who has been engaged in nursing in the District of Columbia five years after graduation immediately preceding the passage of this act shall be entitled to registration without examination upon payment of the registration fee. And, further, that any person who has been engaged in nursing in the District of Columbia for four years immediately preceding the passage of this act and shall have spent, in addition, one year in a hospital or sanatorium, shall be permitted to register after passing a practical examination: *Provided*, That such certificates shall not declare that the persons holding them have fulfilled all the requirements expressed in section 4.

SEC. 6. That the registration of any person as a nurse in the District of Columbia may be revoked and the certificate of such person canceled if she be found to have obtained the same by fraud, or be found guilty by the nurses' examining board of any act derogatory to the standing and morals of the profession of nursing. But before any certificate shall be revoked the holder thereof shall be entitled to thirty days' notice of the charges against her, and after a full and fair hearing the certificate can be revoked by a majority vote of the whole board.

SEC. 7. That all expenses incident to the execution of the provisions of this act shall be paid from the fees collected from applicants for registration as nurses, and if any balance remains on hand on the 30th day of June of any year the secretary and treasurer of the nurses' examining board shall receive of such balance the sum of $100, and each other member of the said board shall receive $5 for each day actually spent in the discharge of official duties. All moneys shall be paid to the treasurer of the board and shall be paid out under the orders of the board.

SEC. 8. That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $200 or by imprisonment in the workhouse for a period not exceeding sixty days.

SEC. 9. That the nurses' examining board shall have power to register, in like manner, without examination, any person who has been registered as a professional nurse in another State of Territory under laws which in the opinion of said board maintain a standard substantially equivalent to that provided for by this act.

SEC. 10. That nothing in this act shall be construed to prevent any person from nursing any other person in the District of Columbia either gratuitously or for hire, provided that such person so nursing shall not represent herself as being a registered nurse. Nothing in this act shall be construed as authorizing any person to practice medicine or surgery, or midwifery, in said District otherwise than in accordance with an act entitled "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof," approved June 3, 1896.

SEC. 11. That the word "she" and the derivatives thereof, wherever they occur in this act, shall be construed so as to include the word "he" and derivatives.

The committee amendment was read, as follows:

Page 4, line 3, insert after the word "act" the following:

"Or shall have graduated from any training school in the District of Columbia within the five years immediately preceding the passage of this act."

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.

VETERINARY SURGEONS.

Mr. OLCOTT. Mr. Speaker, I call up the bill (S. 5698) to regulate the practice of veterinary medicine in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That there be, and is hereby, created a board of examiners in veterinary medicine, to be appointed by the Commissioners of the District of Columbia, which shall consist of five reputable practitioners of veterinary medicine who shall have graduated from some college authorized by law to confer degrees, each of whom shall have been a bona fide resident of said District for three years last past before appointment, and each, during said period, shall have been actively engaged in the practice of his profession in said District. The appointments first made shall be one for one year, one for two years, one for three years, one for four years, and one for five years, and thereafter appointments shall be for a period of five years, except such as are occasioned by death, resignation, or removal, in which cases the appointments shall be for the remainders of the unexpired terms: *Provided*, That the said Commissioners may, in their judgment, remove any member of said board for neglect of duty or other sufficient cause, after due notice and hearing.

SEC. 2. That the said board of examiners in veterinary medicine shall elect a president, vice-president, secretary, and such other officers as shall be necessary. The secretary of said board shall have power to administer oaths or affirmations upon such matters as pertain to the business of said board, and any person willfully making any false oath or affirmation shall be deemed guilty of perjury; and said board shall make, alter, or amend, subject to the approval of the Commissioners of the District of Columbia, such rules and regulations as may be necessary to carry into effect the provisions of this act, and shall hold such meetings as shall be necessary for the transaction of business, and shall issue all licenses to practice veterinary medicine in the District of Columbia. Said board shall keep an official record of its meetings, and also an official register of all applicants for licenses, which register shall show the name, age, place, and duration of residence of each applicant, the time spent in the study of veterinary medicine in and out of medical schools, and the names and locations of all medical schools which have granted said applicant any degree or certificate of attendance upon lectures, and it shall also show whether said applicant was rejected or licensed under this act, and said register shall be prima facie evidence of all matters contained therein. The Commissioners of the District of Columbia shall have power to require any or all officers of said board to give bond to the District of Columbia in such form and penalty as they may deem proper. The said board shall in the month of July in each year submit to said Commissioners a full report of its transactions during the twelve months immediately preceding.

SEC. 3. That from and after the passage of this act all persons desiring to practice veterinary medicine or any branch thereof in the District of Columbia, or who shall desire to hold themselves out to the public as practicing veterinary medicine or any branch thereof in the District of Columbia, shall make application to said board of examiners in veterinary medicine for a license so to do. Application for this purpose shall be upon a form furnished by said board, and shall be accompanied by satisfactory evidence of good moral character, and by a diploma from some veterinary college authorized by law to confer the same, which college shall require at least two sessions of study of veterinary medicine of not less than six months each prior to the issue of such diploma, and graduates of two-year colleges shall accompany their diplomas by satisfactory evidence that they have practiced veterinary medicine for five years last past subsequent to the issue of such diplomas, and by a fee of $10, except as herein otherwise directed, and from the fund thus created the board shall pay such necessary expenses as it may incur. Such expenses shall not exceed in any one fiscal year the amount of fees collected during that period, but if any balance remain after paying all such expenses the Commissioners of said District shall authorize the payment therefrom to the members of said board for their services of such amounts as said Commissioners deem proper. Said board shall, by means of examinations, ascertain the professional qualifications of all applicants for license to practice veterinary medicine in said District, and shall issue such licenses to all who are found by such examinations to be, in the judgment of said board, competent to so practice; and no such license shall be issued to any person who has not so demonstrated his competence, except as hereinafter otherwise provided. Such examinations shall be held in January, April, July, and October of each year, and shall include all such subjects as are ordinarily included in the curricula of veterinary colleges in good standing, but examinations may be held at such other times and include such other subjects as said board shall authorize and direct. Said board shall number consecutively all applications received, note upon each the disposition made of it, and preserve the same for reference, and shall number consecutively all licenses issued.

SEC. 4. That said board of examiners, so far as may be possible, shall make arrangements with analogous boards of the several States and Territories whereby due credit for State and Territorial licenses will be allowed in the District of Columbia to such licentiates of said boards as desire to secure licenses to practice veterinary medicine in this District, and whereby licentiates of the board of examiners in veterinary medicine in the District of Columbia will secure due credit for licenses issued by said board whenever such licentiates desire to secure licenses to practice veterinary medicine in any State or Territory; but no arrangement shall be made under the provisions of this section which will be liable to lower the standard of practice of veterinary medicine in the District of Columbia, and no arrangement for the mutual recognition of licenses shall be valid until it has been approved by the Commissioners of the District of Columbia.

SEC. 5. That any person who has received a diploma from a veterinary college lawfully authorized to confer the same and who has maintained an office for the practice of veterinary medicine in the District of Columbia on or before the passage of this act, upon submission of proof of such facts to the board of examiners in veterinary medicine and the payment of a fee of $1, shall be licensed by said

board to practice veterinary medicine in the District of Columbia without examination. Any person, not a graduate of a college lawfully authorized to confer a degree in veterinary medicine, who has been continuously engaged in the practice of veterinary medicine in the District of Columbia for five years previous to the passage of this act and has maintained an office in said District for that purpose shall be permitted to present himself for examination before the board of veterinary examiners without fee, and upon proof of satisfactory knowledge of veterinary medicine shall be registered and licensed as a practitioner of veterinary medicine.

SEC. 6. That any person having been examined by said board of examiners in veterinary medicine and having been refused a license as the result of such examination may, within thirty days after formal notification of such refusal, appeal from the decision of said board. Such appeal must be in writing, addressed to the Commissioners of said District, setting forth the ground upon which it is based, and accompanied by a deposit of $30. If, after examination of said appeal, said Commissioners deem it proper, they shall appoint a board of review, consisting of three practitioners of veterinary medicine having qualifications similar to those required of members of the regular board of examiners in veterinary medicine, which board shall review the examination of appellant, and if they deem necessary reexamine him and report their finding to said Commissioners; and such finding shall be final and binding upon all parties concerned, and if favorable to the appellant the board of examiners in veterinary medicine shall issue to him a license to practice veterinary medicine in said District. Each member of said board of review shall be paid a fee of not more than $10 for each candidate examined, payment to be made from the deposit of the appellant if the finding is adverse to him, but otherwise from the funds of the board of examiners. If favorable, the amount deposited shall be returned to the appellant.

SEC. 7. That every person practicing veterinary medicine in the District of Columbia, or representing himself or permitting himself to be represented as so practicing, shall display or cause to be displayed conspicuously in his usual place of business his license to practice in said District. Said place of business shall, during all reasonable hours, be open to inspection by any representative of the police department or of the board of examiners in veterinary medicine of said District, so far as may be necessary to examine such licenses, and it shall be unlawful for any person to interfere with any inspection made or intended to be made for this purpose.

SEC. 8. That from and after the passage of this act any person shall be regarded as practicing veterinary medicine in the District of Columbia who shall, in said District, append or cause to be appended to his name the letters V. S., D. V. M., V. M. D., M. D. V., M. D. C., D. V. S., or M. R. C. V. S., or the words "veterinary," "veterinarian," "veterinary surgeon," or "veterinary dentist," "veterinary farrier," "veterinary horseshoer," "horse dentist," or "horse doctor," or who shall prescribe, advise, or apply any drug or medicine or other agency, or who shall perform any operation for the treatment, relief, or cure of any sick, diseased, or injured lower animal, or for commercial purposes, or who shall publicly profess to do any of these things, and shall charge or receive therefor money or other compensation, directly or indirectly.

SEC. 9. That this act shall not apply to veterinary surgeons in the Army or in the employ of the Agricultural Department who are graduates of regular veterinary colleges, nor to regularly licensed veterinarians in actual consultation from other States, nor to regularly licensed veterinarians actually called from other States to attend cases in the District of Columbia, but who do not open an office or appoint a place to do business within said District.

SEC. 10. That the board of examiners in veterinary medicine hereby created may, by a vote of four members, revoke or suspend for a time certain the license of any person to practice veterinary medicine or any branch thereof in the District of Columbia after notice and hearing, for any of the following causes, namely: The employment of fraud or deception in passing the examinations or in obtaining a license, chronic inebriety, or conviction of crime involving moral turpitude. The method of complaint, form and length of notice, and time of hearing charges against any licensee for any of the above causes shall be according to the rules and regulations to be made, subject to the approval of said Commissioners, as hereinbefore provided. Appeal from the decision of said board may be taken to the court of appeals of the District of Columbia, and the decision of said court shall be final: *Provided*, That the Commissioners of the District of Columbia, the said board of review, and the board of examiners in veterinary medicine shall not, nor shall any of them, be required to pay costs, or give bond or security on appeal or error or other proceeding in any court or courts of the District of Columbia growing out of any official duty or duties imposed on them, or any of them, by this act.

SEC. 11. That any person who shall violate or aid or abet in violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $200 or by imprisonment in the workhouse of the District of Columbia for not more than six months, or by both such fine and imprisonment.

SEC. 12. That it shall be the duty of the corporation counsel or one of his assistants to prosecute all violations of the provisions of this act.

The committee amendments were read, as follows:

Page 8, strike out all commencing with the word "or" in line 8 where it appears the second time, down to and including the comma after the word "purposes" in line 10.

Page 8, line 13, strike out the period and insert a colon and add the following:

"*Provided*, That any person may without compensation apply any medicine or remedy and perform any operation for the treatment, relief, or cure of any sick, diseased, or injured animal."

Mr. TAYLOR of Ohio. Mr. Speaker, I call for a vote.

The amendments were agreed to.

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

STOCK YARDS, SLAUGHTERHOUSES, AND PACKING HOUSES IN DISTRICT OF COLUMBIA.

Mr. TAYLOR of Ohio. Mr. Speaker, I call up the bill (H. R. 23830) governing the maintenance of stock yards, slaughterhouses, and packing houses in the District of Columbia.

The Clerk read as follows:

Be it enacted, etc., That no person shall slaughter for food any cattle, sheep, swine, calf, or goat elsewhere than in a registered slaughterhouse.

SEC. 2. That every owner and every manager of any place for keeping cattle, sheep, swine, calves, or goats to be used for food, hereinafter designated a stock yard; and every manager and every owner of any place for slaughtering cattle, sheep, swine, calves, or goats, hereinafter designated a slaughterhouse; and every owner and every manager of any place for the manufacture or preparation of meat products for sale, hereinafter designated a packing house, and every of the aforesaid places that is in operation at the time of the promulgation of these regulations, shall, on or before the expiration of three months immediately following the promulgation thereof, register his full name and residence and the location of such slaughterhouse, stock yard, or packing house in a book kept in the health office for that purpose. Every owner and every manager of any slaughterhouse, stock yard, or packing house that is established after the promulgation of these regulations shall, within five days after beginning business, register in like manner. In event of a change in the owner or the manager or in the location of any slaughterhouse, stock yard, or packing house the new owner or new manager, as the case may be, or in event of a change in location the manager or the owner shall call at the health office within five days after such change takes place and make a corresponding entry in the register.

SEC. 3. That no person shall establish or maintain a slaughterhouse or stock yard upon any site not regularly used for that purpose for not less than ninety days immediately preceding the promulgation of these regulations within 300 feet in a straight line of any building wherein people dwell, congregate, or assemble unless or until he has filed with the health officer the consent in writing of the owners and adult occupants of all dwellings within said 300 feet.

SEC. 4. That every owner and every manager of a stock yard, slaughterhouse, or packing house shall cause it to be well lighted and ventilated, and to be paved with some smooth impervious material laid with such grades and channels as may be necessary for effectual and prompt drainage; shall provide a sufficient supply of hot and cold water for the purpose of cleansing, and of supplying the animals confined therein; and shall provide for the prompt disposal in a sanitary manner of all horns, hides, skins, tallow, tripe, blood, by-products, refuse, and condemned material of all kinds, and for the proper care of the carcasses. Every owner and every manager aforesaid shall cause such slaughterhouse, stock yard, or packing house under his control, and the premises connected therewith, to be kept clean and in good repair at all times, and to be operated in accordance with the following regulations:

(a) Ceilings, side walls, pillars, partitions, and other similar parts shall be frequently whitewashed or painted, or, where this is impracticable, they shall, when necessary, be washed, scraped, or otherwise rendered sanitary. Where floors or other parts of a building, or tables or other parts of the equipment, are so old or in such condition that they can not be readily made sanitary, they shall be removed and replaced by suitable materials, or otherwise put into proper condition. All floors upon which meats are piled during the process of curing shall be so constructed that they can be kept in a clean and sanitary condition, and such meats shall also be kept clean.

(b) All trucks, trays, and other receptacles, all chutes, platforms, racks, tables, and other similar devices, and all knives, saws, cleavers, and other tools, and all wagons, utensils, and machinery used in moving, handling, cutting, chopping, mixing, canning, or other process, shall be thoroughly cleansed daily, if used.

(c) The aprons, smocks, or other outer clothing of everyone who handles meat in contact with such clothing, shall be of a material that is readily cleansed and made sanitary, and shall be cleansed daily, if used. Everyone who handles meats or meat food products shall be required to keep his hands clean.

(d) All toilet rooms, urinals, and dressing rooms shall be entirely separated from compartments in which carcasses are dressed or meats or meat food products are cured, stored, packed, handled, or prepared. They shall be sufficient in number, ample in size, and fitted with modern lavatory accommodations, including toilet paper, soap, running water, and towels. They shall be properly lighted, suitably ventilated, and kept in a sanitary condition. Managers of establishments must see that employees keep themselves clean.

(e) The rooms or compartments in which meats or meat food products are prepared, cured, stored, packed, or otherwise handled shall be thoroughly lighted and ventilated and shall be so located that odors from toilet rooms, catch-basins, casing departments, tank rooms, hide cellars, and other similar places do not permeate them. All rooms or compartments shall be provided with cuspidors, which employees who expectorate shall be required to use.

(f) Persons affected with tuberculosis, or any other communicable disease, shall not be knowingly employed in any of the departments of establishments where carcasses are dressed, meats handled, or meat food products prepared, and any employee suspected of being so affected shall be so reported by any inspector visiting the establishment to the manager of the establishment and to the health officer. No person shall dwell or reside in any building used as a slaughterhouse or packing house or in which meat is kept or offered for sale.

(g) The fattening of hogs or other animals on the refuse of slaughterhouses, or the presence of dogs, will not be permitted in or about slaughterhouses and packing houses, and no use incompatible with proper sanitation shall be made of any part of the premises on which such establishment is located. All yards, fences, pens, chutes, alleys, and other similar structures belonging to the premises of such establishment shall, whether they are used or not, be maintained in a sanitary condition.

(h) Butchers who dress diseased carcasses shall cleanse their hands of all grease and then immerse them in a 1 to 1,000 aqueous solution of bichloride of mercury (corrosive sublimate) and rinse them in clear water before engaging again in dressing or handling healthy carcasses. All butchers' implements used in dressing diseased carcasses shall be cleansed of all grease and then sterilized, either in boiling water or by immersion in a prescribed disinfectant, and rinsed in clear water before being again used in dressing healthy carcasses.

Proper facilities for such cleansing and disinfection shall be provided by the establishment. Separate trucks and other devices shall be furnished for handling diseased carcasses and parts. Following the slaughter of an animal affected with an infectious disease, a stop shall be made until the implements have been cleansed and disinfected unless duplicate implements are provided.

(i) Inspectors are required to furnish their own knives for use in

dissecting or incising diseased carcasses or parts, and are required to use the same means for disinfecting knives, hands, etc., as are prescribed for employees of the establishment.

(j) Meats and meat-food products intended for rendering into edible products must be prevented from falling on the floor while being emptied into the tanks by the use of some device, such as a metal funnel.

(k) All carcasses, heads, untrimmed lungs with liver attached, spleens, and tongues of animals not killed in the presence of an inspector in the service of the health department shall be hung on racks provided for that purpose immediately after slaughtering, and shall remain there if the slaughtering be done after midnight and before noon until 6 o'clock p. m. of the same day, and if the slaughtering be done after noon and before midnight until noon of the following day, unless sooner examined by an inspector aforesaid. All such carcasses and organs shall be marked by the person placing them on the racks hereinbefore provided for in such manner that such organs can be positively identified with the carcass from which they have been removed.

(l) At least 1 inch of the diaphragm of every slaughtered animal shall be left on each animal until an inspector shall have examined, inspected, and passed the same (save in the case of cattle, in which at least 6 inches of said diaphragm shall be left on each animal), and the parietal pleura, or lining of the chest cavity, and the parietal peritoneum, or lining of the abdominal cavity, ordinarily removed in the process known as "stripping," shall remain upon each carcass.

SEC. 5. That no owner and no manager of a slaughterhouse shall slaughter or permit to be slaughtered therein any cattle, sheep, swine, calf, or goat except between the hours of sunrise and sunset unless he has been authorized so to do by the health officer, nor otherwise than in accordance with such authorization.

SEC. 6. That every owner and every manager of a slaughterhouse that is not regularly and continuously used for slaughtering shall fix certain days, and shall fix, and so far as is practicable limit the hours for slaughtering in such slaughterhouse, and shall file with the health officer a statement showing such days and hours, and no owner or manager of any such slaughterhouse shall slaughter or permit to be slaughtered therein any cattle, sheep, swine, calf, or goat, except on the days and between the hours so specified unless he has filed with the health officer, not less than twenty-four hours prior thereto, a notice of his intention and desire so to do and of the hours when such slaughtering is to be done.

SEC. 7. That upon each carcass inspected and passed by an inspector in the service of the health department there shall be placed at the time of inspection labels or marks bearing the registration number of the slaughterhouse and the words "D. C. Inspected and passed," as follows: Upon each dressed beef carcass at least ten labels or marks, and upon each dressed carcass of a calf, sheep, swine, or goat, at least two.

SEC. 8. That each carcass or part of carcass inspected and condemned by an inspector in the service of the health department shall be so anointed or injected with kerosene as effectually to prevent its sale.

SEC. 9. That except in so far as relates to location and registration, these regulations shall not apply to stock yards, slaughterhouses, and packing houses, in which, under inspection by the Federal Government, animals are kept and slaughtered, and in which meat products are prepared for interstate and foreign commerce.

SEC. 10. That any person violating the provisions of these regulations shall be punished, upon conviction thereof, by a fine not exceeding $200.

SEC. 11. That this act shall take effect from and after the expiration of two months immediately following the approval thereof.

Mr. MANN. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. TAYLOR of Ohio. I yield for a question.

Mr. MANN. From aught that appears from hearing the bill read it would seem the bill repeals, as far as the District of Columbia is concerned, to a large extent the meat-inspection law, if not the pure-food law. I suppose, of course, it is not the intention of the bill, but is not all of this controlled by the meat-inspection law which we passed last session in the agricultural appropriation act?

Mr. TAYLOR of Ohio. I am informed that the meat-inspection law which was passed at the last session does not cover the District of Columbia, and for that reason it is sought to read that act into the District of Columbia Code. The report of this bill was made by the gentleman from Kansas [Mr. CAMPBELL], a member of the committee, and I will yield time to him to explain its contents and purport.

Mr. CAMPBELL of Kansas. Mr. Speaker, the purpose of this bill is not to repeal the meat-inspection law nor the pure-food law. On the contrary, the purpose of the bill is to provide for the people of the District of Columbia as pure food and meat, as free from disease as can be had in any other section of the country, under the law passed at the last session of this Congress. Prior to the enactment of the Federal meat-inspection law live stock killed in adjacent States was brought in here without provision for inspection. At that time there was no provision for inspecting meats here in the District. To-day animals that would not stand the test if killed in slaughterhouses in Maryland or Virginia, under the meat-inspection law passed at the last session, may be brought into the District of Columbia and slaughtered here in slaughterhouses without passing such a rigid inspection as is necessary for the protection of the public against diseased meat. And the purpose of this bill is to protect the people of the District from having animals brought in from adjoining States and slaughtered here in evasion of the meat-inspection law of the last Congress. Meat killed in the District of Columbia for consumption here is not covered by the meat-inspection law nor the pure-food law of the last Congress.

Mr. MANN. The gentleman is mistaken about that.

Mr. CAMPBELL of Kansas. At least that seems to be the opinion of the corporation counsel of the District of Columbia and of the Commissioners.

Mr. MANN. The gentleman is mistaken, I think, in reference to the opinion of the corporation counsel. The pure-food law, so far as it covers the subject at all—of course it does not cover the subject of slaughtering of animals—covers everything in the District of Columbia, and the corporation counsel does not say otherwise. I think the gentleman is correct about the examination of the meat-inspection law, that through an inadvertence provision in reference to the District of Columbia only apply to meats that go outside of the District of Columbia.

Mr. CAMPBELL of Kansas. Or shipped in. And the purpose of this bill is to read the meat-inspection law into the laws of the District of Columbia for the government of the inspection of animals slaughtered for consumption here.

Mr. MANN. I remember that when the pure-food law was enacted the Commissioners of the District of Columbia were very strongly opposed to including the District of Columbia in the territory embraced in that law; and I was a little bit suspicious that they might now be seeking to get out from under the operation of that law.

Mr. CAMPBELL of Kansas. I hope the suspicion of the gentleman from Illinois has been allayed.

Mr. MANN. They are perfectly allayed by the gentleman from Kansas.

Mr. FITZGERALD. Will the gentleman from Kansas [Mr. CAMPBELL] yield?

Mr. CAMPBELL of Kansas. For a question; yes.

Mr. FITZGERALD. I want to call his attention to the provision on page 5, as follows:

No person shall dwell or reside in any building used as a slaughterhouse or packing house or in which meat is kept or offered for sale.

In this District, as in other cities, there are a number of butcher stores and buildings parts of which are used for residential purposes by persons not very well to do. This provision will make it utterly impossible——

Mr. CAMPBELL of Kansas. To what line does the gentleman from New York [Mr. FITZGERALD] refer?

Mr. FITZGERALD. To lines 11, 12, 13, and 14, on page 5. That language makes it utterly impossible to maintain a butcher store for the sale of meat in any building in which there are tenants.

Mr. TAYLOR of Ohio. This only provides that slaughterhouses and packing houses——

Mr. FITZGERALD. This provision says that "no person shall dwell or reside in any building used as slaughter house or packing house or in which——

Mr. CAMPBELL of Kansas. I think the "or" should be stricken out.

Mr. Speaker, I move an amendment, to strike out the word "or," following the word "house," in line 13, on page 5.

Mr. MANN. That is, the gentleman strikes out the word "or," after the word "house," in line 13?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 5, line 13, strike out the word "or;" so that the sentence will read:

"No person shall dwell or reside in any building used as a slaughterhouse or packing house in which meat is kept or offered for sale."

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

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

Mr. CRUMPACKER. Mr. Speaker, I desire to call the gentleman's attention to one feature of this bill. It may be right and it may not. The bill prohibits an owner of a pig even from slaughtering the pig upon his own premises for his own personal use. The first section of the bill provides that no animal intended for food shall be slaughtered anywhere in the District of Columbia except in a registered slaughterhouse. Was it the intention of the committee to prevent one living in the suburbs of the city, in the outskirts, but still in the District of Columbia, one who runs a small truck farm and who may raise a few pigs or calves—is it the intention of the committee to make it unlawful for him to slaughter an animal so raised for his own private use?

Mr. CAMPBELL of Kansas. In answer to the gentleman from Indiana I will say that it is not the intention of the law.

Mr. CRUMPACKER. Read the first section.

Mr. CAMPBELL of Kansas. I call the gentleman's attention to line 12 on the first page of the bill. He will notice that the reading there is: "Where such meat products are for sale."

Mr. CRUMPACKER. But, if the gentleman pleases, he is referring to another thing. Read the first section. It makes it unqualifiedly unlawful for any person to slaughter any animal

for purposes of food except in a regularly registered slaughterhouse. Nothing can be plainer. I have no doubt the bill does make it unlawful for a man to slaughter an animal anywhere else except in a slaughterhouse. No person who might raise a pig for family use upon his little peasant farm could slaughter the pig at home. This would compel him to carry it to a slaughterhouse to have it slaughtered. The first section of the bill, standing alone, declares that unequivocably, and it is not open to construction.

Mr. CAMPBELL of Kansas. I wish the gentleman from Indiana would call attention to that part of the clause.

Mr. CRUMPACKER. Well, I do not care to refer to that clause; but the first section is unequivocal, and is not open to construction.

Mr. CAMPBELL of Kansas. I wish the gentleman would call attention to that portion of the first section of the bill which prohibits one from killing an animal upon his own premises for his own use.

Mr. CRUMPACKER. Will the gentleman read the first section?

Mr. CAMPBELL of Kansas. The first section provides:

That no person shall slaughter for food any cattle, sheep, swine, calf, or goat elsewhere than in a registered slaughterhouse.

Mr. CRUMPACKER. For food. No person may slaughter a pig in his own barnyard or pigpen for food. That is what the first section provides. There is no doubt about its meaning. I do not see how it can mean anything else. If the gentleman would put in, after the word "food," "for purposes of sale" it would remedy the matter. I do not think it is the intention and policy of the committee to compel people who raise pigs in the suburbs of the city to drive them to a slaughterhouse to have them slaughtered.

Mr. CAMPBELL of Kansas. I will say that I am not sure that would not be a good provision. I think swine fed in back yards in the District of Columbia or in any other city of its size ought not to be slaughtered for food without being first inspected to see whether they are diseased and suitable for food, whether they are intended for use or for sale.

Mr. CRUMPACKER. That is not the provision. The provision says they must be slaughtered at a registered slaughterhouse.

Mr. CAMPBELL of Kansas. Where there is provision made for the inspection of the meat to see if it is free from disease.

Mr. CRUMPACKER. I suggest, after the word "food," in the first section, there be inserted the words "for purposes of sale."

Mr. CAMPBELL of Kansas. I have no objection.

Mr. CRUMPACKER. I suggest that as an amendment.

Mr. CAMPBELL of Kansas. I wish to offer an amendment, so as to make it read: "That no person shall slaughter for purposes of sale."

Mr. CRUMPACKER. That will do.

The Clerk read as follows:

On line 3, page 1, strike out the word "food" and insert "for purposes of sale."

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

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

PROTECTION OF THE STREETS OF WASHINGTON.

Mr. BABCOCK. Mr. Speaker, I call up the bill H. R. 14897, which is on the Calendar.

The SPEAKER. The gentleman calls up a bill the title of which will be reported by the Clerk.

The Clerk read as follows:

A bill (H. R. 14897) providing for the temporary maintenance of the Long Bridge over the Potomac River, and for other purposes.

The SPEAKER. This bill is unfinished business, as the Chair understands.

Mr. BABCOCK. Yes. Mr. Speaker, I desire to say, in reference to this bill, that the Long Bridge is now being demolished and that part of the bill is unnecessary to consider, and I desire to offer a substitute for the whole bill that I think is satisfactory to all concerned.

The SPEAKER. The Clerk will report the substitute. The gentleman moves to strike out all after the enacting clause and insert the following, which will be reported by the Clerk.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That from and after the 1st day of January, 1908, every wagon or other vehicle of whatsoever kind or description, weighing when loaded more than 5,000 pounds, used, operated, or propelled on, over, or across any of the streets, avenues, alleys, bridges, or roadways of the District of Columbia, shall have wheel tires not less than 4 inches broad. Any owner or driver or other person in control of such wagon or other vehicle so using, operating, or propelling the same who shall violate the provisions of this section shall, on conviction thereof in the police court of the District of Columbia, be punished by a fine not exceeding $25, or by imprisonment for not more than sixty days, or both."

Amend the title to read: "A bill to protect the streets of the city of Washington."

Mr. MUDD. I should like to ask the gentleman a question.

Mr. BABCOCK. Certainly.

Mr. MUDD. I did not quite hear the substitute as read in its entirety. I understand, however, that it provides that it shall take effect January 1, 1908.

Mr. BABCOCK. Yes.

Mr. MUDD. And it makes the weight of wagons as loaded 5,000 pounds instead of 2 tons, above which the requirement as to broad tires is to take effect?

Mr. BABCOCK. Yes.

Mr. MUDD. That is satisfactory to me.

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

The SPEAKER. If there be no objection, the substitute will be considered as agreed to, and the bill as amended will be considered as engrossed, read the third time, and passed.

Mr. WILLIAMS. Mr. Speaker, I understand the Chair is asking for unanimous consent for the passage of the substitute.

The SPEAKER. The Chair was under the impression that there was no objection to it.

Mr. WILLIAMS. Oh, yes; there is very serious objection.

The SPEAKER. The question is on the substitute in lieu of the bill—that is, the amendment.

Mr. WILLIAMS. As I understand the substitute, it is the same provision of law, except that it postpones the date for it to go into operation. Is that correct?

Mr. BABCOCK. No; it increases the amount of the load to 5,000 pounds. The bill originally provided for 4,000 pounds. This increases it to 5,000.

Mr. WILLIAMS. And says that all wagons carrying that load shall have these broad tires.

Mr. BABCOCK. Yes; more than 5,000.

Mr. MUDD. May I suggest to the gentleman from Mississippi that I take it for granted that all those who were opposed to the original bill will at least be glad to have it amended by the adoption of this substitute, which makes it less oppressive than it was before. For myself I want to say——

Mr. WILLIAMS. But if we pass the substitute, the substitute becomes a law as far as the House is concerned.

Mr. MUDD. I apprehend that all of us will agree to the substitute as an amendment to the original bill. The substitute makes it better than it was before.

Mr. WILLIAMS. If we could act on this as an amendment to the provision and afterwards could vote down the provision as amended, that would be a different proposition, but you are offering it as a substitute, and when you vote it up it is up for good.

Mr. MUDD. No; after voting to adopt the substitute we can vote down the bill as amended by the substitute. I am frank to say that by the adoption of the substitute the bill will become fairly satisfactory to me.

Mr. WILLIAMS. It is not satisfactory to me, and I do not think it will be satisfactory to the farmers of Maryland and Virginia.

The SPEAKER. The situation is this: If the substitute offered by way of amendment is agreed to, that does not pass the bill, but that question will have to be taken afterwards.

Mr. MUDD. No; we can adopt this substitute at all events.

The SPEAKER. The question would come up afterwards on the passage of the bill.

Mr. HEPBURN. Mr. Speaker, I desire to offer an amendment. I move to strike out the word "five" where it occurs and insert the word "four."

The SPEAKER. The gentleman from Iowa offers the following amendment to the substitute.

The Clerk read as follows:

In line 3 of the substitute strike out the word "five" and insert the word "four;" so that it will read "more than 4,000 pounds."

Mr. HEPBURN. Mr. Speaker, it seems to me that this amendment ought to meet the approval of the Members of this House. Our streets here are bad enough at best. This is in the direction of their protection. Look at the matter practically. Here is a tire that is of ordinary width, 2 inches. After that is worn a little—it wears first at the edges—it has a rounded surface and the bearing point upon the pavement is exceedingly narrow, perhaps not an inch wide. It is a gross outrage to allow 4,000 pounds on four bearing points on our streets that are not more than an inch in width, and at most 2 or 3 inches in length. The destruction is very great, and it ought not to be permitted. Especially is that true in very warm weather. When the as-

phaltum pavement is softened you will see that the marks of very heavily laden wagons are easily to be discerned for a distance of several rods. That ought not to be. It will be a simple matter to change the tires of these very heavy wagons to 4 or 5 inches, and I think the House ought to see to it in the protection of the streets that this is done in order that we may have what we ought to have in this city, model streets. I hope this amendment will be adopted.

Mr. JONES of Virginia. Will the gentleman permit a question?

Mr. HEPBURN. Yes.

Mr. JONES of Virginia. I would like to ask the gentleman whether he knows of any city which has such a requirement as he proposes?

Mr. HEPBURN. I don't know whether any other city has it or not, but I think I know that the city of Washington ought to have it: Those who oppose this amendment, Mr. Speaker, are doing it in the interest of very few people. They are the brick haulers from across into Virginia and the coal dealers. They are almost the only ones who are objecting to this legislation.

Mr. JONES of Virginia. The gentleman is mistaken.

Mr. WILLIAMS. Mr. Speaker——

The SPEAKER. To whom does the gentleman yield?

Mr. HEPBURN. To either one, or both.

Mr. JONES of Virginia. I just want to say to the gentleman that the Business Men's Association—without exception, every business man in the city—is opposed to it.

Mr. HEPBURN. If they are, then I have no respect whatever for the judgment of the business men of the city of Washington.

Mr. JONES of Virginia. I want to say another thing to the gentleman. As I understand this bill it has never been referred to the District Commissioners; they have never been asked, as is usually the case, for their opinion upon this measure.

Mr. HEPBURN. I don't know whether that is true or not, and I am not sure that it is absolutely necessary that we should have their opinion. This is a matter upon which men can form their own judgments. We do not have to ask an expert. Those people who are as familiar with the streets of the city as is the gentleman from Virginia know that a heavily loaded wagon, especially one with an old wagon tire, is a menace to the streets of this town, and it ought not to be permitted. I do not think there are 200 vehicles which belong to the people of the city of Washington that will be affected by this legislation, and as to those 200 it is important that the tires upon them should be corrected.

Mr. WILEY of New Jersey. I wish to state to the gentleman that the District Committee had a hearing for the people representing these interests, and they failed to convince us that there was any hardship.

Mr. BABCOCK. Mr. Speaker, I want to say just a few words with reference to this bill, as I have given the subject a good deal of time and attention. When the statement is made here that the business men of Washington are opposed to this as a whole, that is an error. The business men, or a large number of them in the city of Washington, have appealed to me within the last week to pass this bill before Congress adjourns. Now, this committee, of which I have the honor to be a member, requested the police department to examine every heavily laden wagon that came in from the country, from Virginia and Maryland, to the markets—these large loads of hay and produce where they use four horses. In only one single instance, in an inspection covering thirty days, was there one heavily laden wagon with a tire of less than four inches. There was only one wagon found in thirty days that carried over 4,000 pounds or 4,500 which had less than a 4-inch tire. It is absolutely necessary in the country to use a wide tire to protect the roads and keep the wagons from going down through them. So that it does not affect that interest at all. I will tell you the interest that it does affect. It affects the draymen and the truckmen from Alexandria and the brick dealers from Virginia, and, by the way, the president of the largest brick manufacturing plant said to me, "I heartily indorse the bill, and every wagon we use I shall guarantee will have a 4-inch tire; we ought to have it for our own convenience, as well as for the preservation of the streets."

Mr. WILLIAMS. Before the gentleman goes on, I should ask the gentleman if he has heard from the mill men in Washington—the flour mill men?

Mr. BABCOCK. Why, I have heard from them in connection with the draymen of Washington.

Mr. WILLIAMS. They make protests; in fact, the protests are chiefly from the mill men.

Mr. BABCOCK. If I neglected to state it, I will state it also comes from the express companies and these parties here doing heavy hauling. Now, I want to give the gentleman an instance of that which occurred last week and was reported to me by a representative gentleman here, Mr. C. C. Glover, who stated he had occasion to drive out Massachusetts avenue last week and followed a wagon that had a heavy load, consisting of a very large piece of stone which the wagon was taking out to the university. They went down Massachusetts avenue, and after they reached the macadamized street the wagon sank down to the depth of 8 inches in the street, and they had to drive diagonally across the street, and as it went on farther the wagon settled to the hub in an improved street, in a macadamized street, where they had to abandon the wagon and take the four horses away. Now, that is one instance that occurred last week. Now, the Committee on Appropriations, or this Congress, has provided for the resurfacing of Pennsylvania avenue, and I want to say to this House that if you permit these loads of 4, 5, and 6 tons on 2½-inch tires to traverse the streets, you will have to resurface it again in two or three years. It costs the District of Columbia an immense amount of money and when one of these heavy loads is on a narrow tire it makes an abrasion in the street and the next wagon makes it deeper, and the next makes it deeper, until you find the street full of holes, as it is now. I tell you, Mr. Speaker, the use of 2½-inch tires will cost the District of Columbia $200,000 a year. There is no reason on God's earth why these wagons should not have 4-inch tires that will support these heavy loads. It is the first little abrasion that does the harm, and I want to say, Mr. Speaker, it is only those who are directly interested, only those who are using 2½-inch tires that have come before us and opposed this legislation. I consider it absolutely necessary as a measure of economy. I believe, Mr. Speaker, we had better appropriate money to-day to buy 4-inch tires for every dray in the city of Washington rather than to permit them to go on using 2 and 2½ inch tires. [Applause.]

Mr. WILLIAMS. Mr. Speaker——

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Mississippi?

Mr. BABCOCK. Certainly.

Mr. WILLIAMS. Now, Mr. Speaker, I think the gentleman's argument is tolerably sound if the premise was at all sound. Since this matter was up the last time I have walked over a great many of the asphalt streets of Washington with a view of seeing whether these very statements of facts are well founded or not. The gentleman has stated that the streets are torn up by these wheels. I at this time state that where the breaks in the asphalt occur they occur in the other direction. Now, I have walked down Pennsylvania avenue, Massachusetts avenue, Connecticut avenue, and Fourteenth street, and there is not a single instance of a cut in the street in the direction of the street made by a narrow tire, and the gentleman can not find one. The breaks that are in the asphalt when they occur are, as a rule, perpendicular to the line of the street, and are made by the changes in temperature or by the fact that the asphalt was not well laid down. Pennsylvania avenue is in holes everywhere right now, but it is not in cuts, it is not in ruts; it is in holes, and those holes, as a rule, are due to the fact that when that pavement was made there was not a sufficient foundation under the pavement. It was not properly built. If you are going to resurface Pennsylvania avenue, you will do a very good work.

Mr. BABCOCK. Will the gentleman permit? Has he heard the report made by the bicycle policemen on Pennsylvania avenue, that the destruction of the surface of the street there was caused by the heaviness of the loads and the narrowness of the tires?

Mr. WILLIAMS. I have not, and I do not care. I invite the Members of this House to walk this evening down Pennsylvania avenue to the Treasury, and they will find that what I have said is absolutely the fact. I do not care who makes a report. There is not a single rut in the asphalt parallel with the sidewalk as it would be if made by wagons. What holes are in the asphalt are holes on the transverse, and that is owing to the effect on the character of the asphalt by change of temperature. One would naturally conclude that the contraction and the expansion would be better taken care of parallel with the sidewalk, because the distance is so much greater when there is an upheaval, whereas between curb and curb the weather does cause a break in the surface from undue expansion at one time and contraction at another. These people who have been protesting to me, at any rate, were men like Mr. McDowell, of the great flour mill down here—principally the mill men.

Mr. BABCOCK. That is right. They protest against it.

Mr. WILLIAMS. And it was not simply the brick men over in Alexandria or somewhere else.

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I thought I heard some one say a few moments ago that there was no other city in the United States that had a wide-tire ordinance. I did not suppose that there was any city in the United States that had any decent streets that did not have a wide-tire ordinance. I know there has been one in my own town for years, and I know that there are such in a good many other towns.

Now, the gentleman from Mississippi [Mr. WILLIAMS] seems to think that he has demonstrated the case because he can not find a rut running the whole length of Pennsylvania avenue or a good portion of it. Why, the gentleman totally misapprehends the way the streets get out of repair. It is not by narrow tires cutting through the asphalt down to the foundation and running from one end of the street to the other or running any particular length. The asphalt gets soft in places; the narrow tire comes in and depresses it a little bit, perhaps the next one a little more, and then the water settles there. Under the action of the water it finally affects the asphalt and produces these holes we find in the pavements of the streets, and, of course, you would not find a rut, running in the direction of the street, gouged out by a tire. It is the effect of the water after the tire has made the depression. Every expert in road building in the United States will tell the gentleman from Mississippi [Mr. WILLIAMS] that a narrow tire destroys the roadway. I do not care whether it is asphalt pavement or whether it is macadam or whether it is a gravel road, it is the narrow tire that does the business. It takes but a little at a time, and the water sets in, and the water standing in the roadway is what finally eats out the roadway. It softens it, and then the wagons come over it with narrow tires, and even wider tires, and it constantly wears out the whole of the street, and we have as a consequence what we see in Pennsylvania avenue and Massachusetts avenue and almost every other avenue and street in the city of Washington. And it seems to me a very mild proposition to say that wagons that carry two tons should be required to have broad tires.

Mr. JONES of Virginia. I want to ask the gentleman if it is not a fact that heavy wagons are forbidden to drive through the grounds around the Capitol here, and if it is not a fact that the pavement around here where heavy wagons are kept off is in worse condition than in those parts of the city where these heavy wagons come?

Mr. PAYNE. I have not found it so, because I have found the worst pavements on the streets that I generally travel, and those are the most generally traveled streets.

Mr. MADDEN. Is it not a fact that the history of all pavements shows that where there is no traffic at all on the streets the pavements wear out quicker than where there is traffic on the streets?

Mr. PAYNE. I had not discovered that.

Mr. MADDEN. That is the fact.

Mr. PAYNE. I do not believe it is the fact.

Mr. MADDEN. It is the fact.

Mr. PAYNE. It can not be possible, if they are properly made in the first place. Without talking any further upon the proposition, because on its face it is an absurd proposition——

Mr. MADDEN. Nevertheless it is true.

Mr. PAYNE. Of course, if it is true, then the more narrow tires go over the street the more you improve it. The gentleman from Illinois can hardly pursue such a proposition as that. I hope this amendment will be adopted, and the bill will pass.

Mr. JONES of Virginia. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. BABCOCK. What time does the gentleman wish?

Mr. JONES of Virginia. Ten minutes.

Mr. BABCOCK. I yield ten minutes to the gentleman from Virginia.

Mr. JONES of Virginia. Mr. Speaker, in reply to the statement of the gentleman from New York, who has just taken his seat, I want to read from a statement made by a gentleman who is an expert and who, therefore, knows something about laying pavements and who is capable of speaking as to their durability. I read from an account of a meeting held in this city last year, reported in the Evening Star. This meeting of business men was held for the purpose of protesting against this very measure, and at that meeting Mr. P. J. Brennan gave expert testimony as to the use of narrow tires upon asphalt pavements. It seems to me that the opinion of such a witness is entitled to much weight. I read from the Evening Star report:

Mr. P. J. Brennan, president of the Brennan Construction Company, which has laid a large portion of the asphalt pavements in this city, stated that his company lays these pavements under contract, which makes them liable for the good condition of the pavements for five years, and they have to give bond that they will correct any defect in the pavements occurring in that time. But he would prefer having tires of diversified sizes rather than tires of 4 inches. He did not consider that a 2-inch tire would be any more harmful than a 4-inch tire. What the pavements really suffer from, he said, is the lack of travel. An asphalt pavement that is not sufficiently traveled, he said, will be in worse condition than one that is greatly traveled by teams carrying tires of different widths.

As against the mere opinions of gentlemen who do not pretend to any special knowledge upon subjects of this character I submit the opinion of one who not only has had large experience in putting down asphalt pavements in this city, but who also has a personal and direct interest in their preservation. Being under bond to repair such damages as may be sustained by the pavements from their use by heavy wagons, his opinion is surely entitled to the very highest credit.

Mr. PAYNE. Will the gentleman allow me?

Mr. JONES of Virginia. Yes; for a question.

Mr. PAYNE. Considering the fact that the more the pavement is worn out the more there would be to be laid, his motives or interest drew him in the other direction as well as in the direction of the testimony on your side of the question.

Mr. JONES of Virginia. I further——

Mr. PAYNE. One further question. This I understand was a meeting of the business men here, the men who wanted these narrow-tired wagons?

Mr. JONES of Virginia. I hope this interruption does not come out of my time.

Mr. PAYNE. I say that the meeting was one called by these business men to protest against the passage of this law.

Mr. JONES of Virginia. I stated that. And now I want to say that this gentleman further stated that the asphalt pavements which are little used suffer more from that cause than do those which are in constant use.

Mr. BABCOCK. I wish to say, in reference to that gentleman, that he convinced himself before the committee that the 2-inch tires were better than the 4, and also that if the asphalt, if it was not used at all, would at once disintegrate and be of no use. He said that 1½-inch was better than 4-inch for the wagons used in the city of Washington.

Mr. JONES of Virginia. Mr. Speaker, in response to the statement made by another gentleman, that the people who objected to this 4-inch tire were only Virginians engaged in hauling brick from Virginia to this city, I want to read this communication addressed to my colleague [Mr. RIXEY], who represents the district in Virginia adjacent to this city:

MARCH 9, 1906.

Hon. JOHN F. RIXEY,
House of Representatives, Washington, D. C.

DEAR SIR: At a largely attended meeting of the board of directors of the Business Men's Association, held March 8, House bill No. 14897 came up before the board and was thoroughly discussed; and on motion of Mr. W. S. Knox, duly seconded by Mr. P. P. Brennan, it was resolved that the association go on record as being unalterably opposed to the third section of said bill, it being agreed that the adoption of said section would work an unnecessary hardship and unwarranted expense to the owners and users of teams hauling 2 tons or more. It was further agreed that the association use its good offices and every honorable means to defeat said legislation in becoming a law.

Very truly, yours,

JAS. F. OYSTER, *President.*
WM. F. GUDE, *Secretary.*

These gentlemen, representing the Business Men's Association of this city, not people engaged in hauling brick from Virginia to the city of Washington, have gone on record as being unalterably opposed to this legislation. Naturally the people of Virginia and Maryland who haul their products to this city in heavy wagons are opposed to this proposed legislation, but they are not alone in their opposition.

The manufacturers of brick in Virginia who send their bricks here in heavy wagons, the farmers whose market wagons come, as well as the business men of this city who will be affected by this proposed legislation are all opposed to it. They oppose it because it will entail upon them heavy and, as I believe, needless expense. Upon many farmers it will be a real hardship.

Why has not this measure been referred to the Commissioners for the District of Columbia? Such, I am told, has been the invariable course in all matters of legislation of this character. Had that course been pursued in this case this House would have now before it facts which are now wanting—facts which would doubtless convince every mind here that this measure ought not to pass this House.

I think, Mr. Speaker, that the House will be safer in accepting the testimony of the business men of this city and the experts who have given opinions in reference to this matter than in accepting those of my friend from New York [Mr. PAYNE] and my friend from Iowa [Mr. HEPBURN]. I agree with what has been said by the gentleman from Mississippi [Mr. WILLIAMS], for I have but recently carefully observed the streets of Washington, and I have failed to find any evidence of

injury to the asphalt pavements resulting from the use of narrow tires. The sun has caused far more injury to pavements than narrow tires. The slightest examination of the asphalt pavement along the east front of this Capitol building, where the use of light vehicles is only permitted, and the same pavements near the Long Bridge, over which heavy wagons, with narrow tires, pass, will, I think, clearly demonstrate the correctness of the position taken by the business men of this city. I want to say further, Mr. Speaker, if I may be permitted, in reply to the gentleman from New York [Mr. PAYNE], that I have here the statements of the mayors of Philadelphia, Baltimore, and of Richmond, all to the effect that there is no requirement in those cities with reference to the use of wide or narrow tires. I should have said that in Richmond heavy wagons are not permitted to use tires less than two and a half inches in width. In the other two cities named there is absolutely no requirement on the subject. I imagine that the streets in the city of Philadelphia, where narrow tires are permitted, are in just as good condition as are those in the city which my friend from New York [Mr. PAYNE] has the honor to represent.

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

Mr. JONES of Virginia. You may.

Mr. SHACKLEFORD. What does the gentleman from Virginia think is the effect of these narrow tires, and the hauling of brick across the river on the Long Bridge and the approaches to the bridge, where the surface is not asphalt? What is the effect of the narrow tires there as compared with the wide ones?

Mr. JONES of Virginia. I do not know whether there is asphalt on the bridge or not. I rather think there is.

Mr. BABCOCK. On the bridge, but not on the approaches.

Mr. SHACKLEFORD. On all of those places which are not covered with asphalt, what is the effect?

Mr. JONES of Virginia. I have not examined the bridge, but I understand this to be the case, that when the movement in favor of wide tires was first inaugurated, it was because of the fact that the approaches to the bridge had been but recently paved. The bridge had been recently built, and the idea was that inasmuch as the roadbeds had not settled, the use of these narrow tires might be injurious. Now that the roadbeds have thoroughly settled, as I imagine is the case, there can be little excuse for the passage of this measure.

Mr. SHACKLEFORD. What about the macadamized approaches?

Mr. JONES of Virginia. I am speaking of the asphalt pavements. I know nothing about the macadamized roads.

Mr. SHACKLEFORD. I mean streets that are not paved with asphalt. What is the effect of the narrow tire as compared with the wide one upon them?

Mr. JONES of Virginia. I should think that on dirt roads, or such roads as the gentleman appears to have in mind, wide tires would be better than narrow ones; but I think all the testimony goes to show, and as far as my observation goes it confirms that testimony, that narrow tires have not injured the streets of Washington any more than wide ones have.

The SPEAKER. The time of the gentleman has expired.

Mr. BABCOCK. I yield five minutes to my colleague on the committee, the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I can corroborate the statement of the gentlemen from Mississippi as to the appearance of the surface of the streets. It is true that there seem to be breaks in the streets lengthwise, crosswise, and every other way. Evidently they are not caused by tires or the lack of tires; but this law applies to the whole District of Columbia, and the streets of the District are not all paved with asphalt. It does seem to me that asphalt paving is such a peculiar thing that it is difficult to judge it by comparison with anything except itself. But upon the idea of the gentleman from New York or some other gentlemen who have spoken on this matter, in many cases the bed work or foundation upon which the asphalt is laid is defective. If there is a defect beneath the surface of the asphalt, it may be small; it may be crosswise or lengthwise with the street. It is perfectly natural that a great weight upon a narrow tire would come nearer to breaking it than if it was a broad surface, upon the same principle that you can walk on snow with snowshoes when you could not with skates. Now, it does seem to me that 5,000 pounds is so large a load that most of the hauling that will be made with tires less than 4 inches wide will not exceed that weight anyway, and that there can not be any very great hardship in requiring persons who haul over 5,000 pounds, including the weight of their wagon, to adopt the wide tire.

Certainly nobody will contend that a 4-inch tire will hurt the pavement or injure the surface of it or be more injurious than the narrow tire. It does seem to me that this is a reasonable proposition, and that we will get rid of this question by adopting the substitute, making it 5,000 pounds instead of 4,000, as suggested by the gentleman from Iowa; and the time of the going into effect of the law being postponed until next January, those who have narrow tires and heavy draft wagons will have plenty of time in which to change their tires or wheels without any great loss to them. As the law is now you can put 10 tons onto a wagon with narrow tires, if you can get that weight onto the wagon.

Mr. BABCOCK. Yes; and they had 10 tons on a 2½-inch tire, and the last I knew of it the wagon stood in the middle of the street down to its hubs.

Mr. SIMS. Certainly it will not be easier to overload a broad-tired wagon so as to injure the surface of the street than it would be to overload a narrow-tired wagon to the same extent. I do not think there is any great hardship in this bill as amended. Gentlemen who own wagons have talked with me and discussed this matter a great deal, and, of course, they do not want to have to change their tires. But I believe, from a fair investigation, having studied the matter since last winter, taking the District as a whole and knowing it is not all paved with asphalt and never will be, and that wagons come in here from the States, we ought to adopt some reasonable measure. I believe to require a 4-inch tire for 5,000 pounds is not unreasonable or a hardship, and that we had better adopt the substitute and be done with the matter.

Mr. BABCOCK. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. DRISCOLL].

Mr. DRISCOLL. Mr. Speaker, in view of the statement made here a few minutes since that the use of wide tires for heavy wagons is not required in other cities, I wish to state a little experience or observation on the subject. I live in Syracuse, N. Y. Some years ago our streets were in very bad condition, largely made so by the hauling over them of heavy loads in narrow-tired wagons. There are several small quarries outside of our city some 4 or 5 miles, and the heavily laden stone wagons were drawn into the city and through its streets. Those wagons were then equipped with narrow tires, and were cutting up the streets so that it was impossible to keep them in good condition. An ordinance was passed by the common council of our city during the mayoralty of Mr. Belden, my predecessor in this House. Many of the people who had been accustomed to use narrow tires objected strenuously to that ordinance, and claimed that it was unconstitutional. They took the matter to the courts, in which it was held that the ordinance was valid. Wide tires were then required to be put on those heavy stone wagons, and since then on all heavy wagons. Since that time our streets have been improved, largely because they have not been cut up so badly by narrow-tired, heavily laden wagons. It is manifest that on a dirt or a macadam or any kind of a soft road a wide tire is better than a narrow one. It acts as a sort of roller, while a narrow one cuts down into the street and tears it up. It is admitted here that the wide tire is better than the narrow one for macadam and dirt roads and all sorts of roads except asphalt or other pavement. The narrow tire may not damage the asphalt very much in winter or in cold weather when the material is hard, but in summer when it is soft the narrow tire does cut the pavement.

We have all seen the time in this city when the horses going along the streets in midsummer, when the pavement is almost steaming, that the calks of the horses and also the narrow tires of wagons cut into the asphalt. Also in winter narrow tires do more damage to asphalt pavement than do wide tires. Holes or depressions may be made in the asphalt by many causes, and after a hole or depression is once made down to the concrete then certainly the narrow tire injures it more than does the wide tire. In cold weather the asphalt is pretty hard and brittle, and when it breaks off it breaks off in chunks, and when the wagon wheel comes along and strikes it it breaks off a little. Now, a narrow tire of the same weight, force, and speed striking against the edge of the pavement does more damage than a wide tire. Common observation and experience with familiar things lead to that conclusion. I suppose that in nearly all the well-regulated cities of the country wide-tire ordinances for heavily laden wagons are in existence and also enforced, and Washington should not be an exception to other well-regulated and progressive cities. This is a beautiful city. It is pretty well kept and is very expensive. It is not much of a hardship to require men using heavily loaded wagons to do their part toward keeping the streets in order. They ought to do that of their own free will, by reason of their civic pride and desire to have the city look as beautiful as possible; and if they are not so disposed, they should be compelled to do so. And the committee is right in requiring that men drawing heavy

loads over the streets of our city be compelled to do their part toward preserving the good condition of our streets, even at a little extra expense to them.

Mr. BABCOCK. I yield three minutes to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LOVERING. Mr. Speaker, I thought it was long ago conceded that broad tires were the best conservators of roads that can be had. Certain it is that in towns in Massachusetts with which I am familiar, where they have used broad tires, they have reduced the cost of care and maintenance of the roads from 30 to 40 per cent. Of this I can bring proof. It is a well-known fact that in Europe on toll roads the tolls are graded according to the width of the tires, and they even go to the extent of not demanding toll from wagons which have tires 4 or 5 inches in width. I hope this amendment will be adopted here. I believe in fixing the limit at 4,000 rather than 5,000 pounds. I think if it is adopted here it will be followed by State legislatures enacting similar legislation throughout the country, and for that reason, among others, as an example we ought to adopt it.

Mr. BABCOCK. Mr. Speaker, I call for a vote.

The SPEAKER. The question is on agreeing to the amendment to the substitute offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. MUDD) there were—ayes 113, noes 51.

So the amendment was agreed to.

Mr. JONES of Virginia. Mr. Speaker, I desire to move to amend the bill——

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Virginia?

Mr. BABCOCK. Not for an amendment.

The SPEAKER. The gentleman declines to yield for the purposes of offering an amendment.

Mr. JONES of Virginia. Mr. Speaker, I want to appeal to the gentleman. My amendment is simply to provide that this should be for the load without the wagon. The wagon will weigh 4,000 pounds in some instances. I appeal to the gentleman to permit me to offer the amendment.

The SPEAKER. The gentleman is entitled to offer the amendment unless the gentleman from Wisconsin demands the previous question.

Mr. BABCOCK. Mr. Speaker, with the number of bills we have I shall have to ask for the previous question.

The SPEAKER. The gentleman from Wisconsin demands the previous question on the substitute to the bill to its final passage.

The question was taken; and the Chair announced the ayes seemed to have it.

Mr. JONES of Virginia. I demand the yeas and nays, Mr. Speaker.

The SPEAKER (after counting). Thirty-two gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. JONES of Virginia. I demand the other side, Mr. Speaker.

The SPEAKER (after counting). Those in favor of the yeas and nays are 32 and those opposed are 134.

Mr. JONES of Virginia. Tellers, Mr. Speaker.

The SPEAKER (after counting). Thirty-eight gentlemen have arisen, not a sufficient number, and tellers are refused. The question is on the substitute.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. JONES of Virginia. Division, Mr. Speaker.

The House divided; and there were—ayes 137, noes 44.

Mr. JONES of Virginia. Yeas and nays, Mr. Speaker.

The SPEAKER. The yeas and nays are demanded. Those in favor of ordering the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-one gentlemen have arisen, not a sufficient number, and the yeas and nays are refused, and the amendment is agreed to. The question now is on the engrossment and third reading of the bill.

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

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. JONES of Virginia. Yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Virginia demands the yeas and nays. Those in favor of the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-three gentlemen have arisen, not a sufficient number, and the yeas and nays are refused. The ayes have it, and the bill is passed.

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

The title was amended so as to read: "A bill to protect the streets of the city of Washington."

RETENT ON CONTRACTS WITH THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill (H. R. 21684) to amend section 2 of an act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906, be, and the same is hereby, amended so that it shall read as follows:

"SEC. 2. That this act shall cover and comprehend all contracts for the construction of bridges, sewers, buildings, and other contracts for construction work, as herein specified, which are now completed or which may hereafter be completed by the contractors according to their contracts and accepted by the Board of Commissioners of the District of Columbia."

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

SERVICE ON FOREIGN CORPORATIONS.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of 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.'"

The Clerk read as follows:

Be it enacted, etc., That the act of Congress 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,'" be, and the same is hereby, amended so as to read as follows:

"When a foreign corporation shall transact business in the District without having any place of business or resident agent therein, service upon any officer or agent or employee of such corporation in the District shall be effectual as to suits growing out of contracts entered into or to be performed, in whole or in part, in the District of Columbia or growing out of any tort heretofore or hereafter committed in the said District."

The committee amendment was read, as follows:

Page 1, strike out all of lines 3, 4, 5, and 6, and insert in lieu thereof the following:

"That the second paragraph of section 1537 of the Code of Law for the District of Columbia be, and the same is hereby, amended so that it shall."

The amendment was agreed to.

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

Mr. MAYNARD. Mr. Speaker, I ask unanimous consent to make a statement to the House.

The SPEAKER. The gentleman from Virginia asks unanimous consent to make a statement to the House. Is there objection? [After a pause.] The Chair hears none.

Mr. MAYNARD. Mr. Speaker, I desire to give notice to the House that inasmuch as it was expected by a large number of the membership of the House to-day that the urgent deficiency bill, which lately passed the House and was amended in the Senate, carrying a loan of $1,000,000 to the Jamestown Exposition Company, was to come up to-day, by agreement has been postponed until to-morrow morning, and will be brought up to-morrow morning. I promised on behalf of all parties interested to give this notice to the House.

Mr. PAYNE. I hope people will stay here, notwithstanding.

CONVENTION OF THE PROTESTANT EPISCOPAL CHURCH, WASHINGTON, D. C.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill (S. 6338) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington."

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act approved March 16, 1896, entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington," be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That the said corporation shall have full power and authority to take and hold subscriptions, contributions, donations, grants, devises, or bequests, in money, real estate, or otherwise, which heretofore have been made or which may hereafter be made for the purpose of an Episcopal residence, diocesan house, church colleges, church or parish schools, churches, or mission chapels, and for the purpose of creating a permanent fund or endowment for the support of the episcopate in said diocese, and to or in behalf of religious, missionary, charitable, or educational agencies' uses or purposes now existing or hereafter to exist, under the jurisdiction, control, or sanction of said convention within the limits of said diocese, the annual income from which shall not exceed $100,000, and the same to invest and the proceeds thereof to apply for the purposes aforesaid as may from time to time be deemed most expedient, and to appoint, in its discretion, an executive committee or other trustees, boards, or agencies, by whatsoever name or names they may be designated, to administer such funds or property in such manner and form and with such authority as the

said corporation shall from time to time prescribe: *Provided, however, and always,* That in such administration the respective funds shall be kept distinct and separate; that each fund shall be held liable only for obligations that may have been incurred in its own proper behoof; and that the principal sum or amount of such subscriptions, contributions, donations, grants, devises, and bequests for permanent endowment of the episcopate shall be at all time invested in some safe and profitable stocks, real estate within the limits of the said diocese, mortgages, deeds of trust, or other securities, and the expenses of administering the same, the salary of the bishop, and other charges shall be payable and paid only out of the annual interest, dividends, or profits thereof: *And provided further,* That unless this amendment shall be accepted by resolution of the convention of the said diocese at its next annual meeting, and a copy of such resolution of acceptance, certified by the secretary of the convention, be filed for record with the recorder of deeds of the District of Columbia within sixty days thereafter, the same shall become void and of no effect."

The committee amendment was read, as follows:

On page 2 strike out all commencing with the word "some," in line 22, down to and including the word "securities," in line 24, and insert in lieu thereof the following:

"bonds of the United States or of the District of Columbia, in first-class State or municipal securities; in first mortgages or first deeds of trust on real estate not exceeding 60 per cent of the value of such real estate, or in the first mortgage bonds of any railroad corporation which has for five consecutive years immediately preceding such investment paid dividends on its common stock."

Mr. CRUMPACKER. I desire to offer a suggestion or two and an amendment to the bill.

The SPEAKER. Does the gentleman from New York [Mr. OLCOTT] yield?

Mr. OLCOTT. Yes; I yield.

Mr. CRUMPACKER. The bill provides for the amendment of an act incorporating the Protestant Episcopal Church, and it authorizes the church organization to receive bequests, donations, and devises of personal and real property and authorizes the property to be invested for ecclesiastical, educational, missionary, and charitable purposes, and there is no limit at all on the amount of the real estate the corporation may hold in the aggregate. I do not believe it is a wise policy to create a corporation of any kind without some limitation on the amount of the real estate it may own. I made an objection to a bill a day or two ago on that ground. The amendment I propose to offer limits the amount of real estate which this corporation may own at any one time to an aggregate of $2,000,000. Would that be satisfactory?

Mr. OLCOTT. I will call the gentleman's attention to the fact that the entire property, both real and personal, can not have an income of more than $100,000, and the corporation is only allowed to take real estate which is devised to them by will. We have stricken out the clause in the bill allowing them to invest in real estate, and have made a change which we believe in the line of conservatism, to prevent investing in real estate. They can take real estate by devise, the income of which added to the income of all their personal property does not exceed $100,000. It seems to me that limitation is sufficient.

Mr. CRUMPACKER. I noticed that provision in the bill, and I had some doubt——

Mr. OLCOTT. Will the gentleman excuse me for a moment? That limitation now exists in the present law.

Mr. CRUMPACKER. What is the object of the amendment?

Mr. OLCOTT. The object of this amendment is that the corporation was not allowed, and it is not allowed under the present law, to take devises of real estate. Now, wills have been made, and the corporation is now entitled under the terms of those wills to take a certain devise in real estate. It wishes authority to receive it. That is the main object.

Mr. CRUMPACKER. There are a number of objections that I have to this kind of legislation. This corporation might possibly be the beneficiary of large bequests and devises and hold real estate without limit. Nobody knows what the future may bring.

Mr. OLCOTT. Except the limitation is that the income from personal property and all of its real property shall not exceed $100,000.

Mr. CRUMPACKER. There is that one limitation on income only, and the corporation owns many millions of dollars of real estate, and the influence of this great organization—and it is a very worthy organization—might be directed toward exempting all of this property that is used for educational, missionary, and charitable purposes from taxation.

Mr. OLCOTT. The specific real estate, however, that is exempted must be used for either church or educational purposes.

Mr. CRUMPACKER. Does not the gentleman believe a limitation that the aggregate holdings of real estate shall not at any time exceed $2,000,000 would be a proper and safe one to incorporate in the bill?

Mr. OLCOTT. I am afraid to accept that. I can understand that, with the values as they are here in Washington, the cathedral site now and the buildings that will be erected by the members of the Protestant Episcopal Church would be more than $2,000,000. We are about erecting a cathedral in New York where we have spent much more than that, and it is not nearly completed.

Mr. CRUMPACKER. I think the policy is eminently better——

Mr. OLCOTT. Income-bearing property can not be greater in value than $100,000. Therefore they would not be a monopoly, and there is no exemption of taxes on any real estate which the corporation holds from which it receives an income.

Mr. CRUMPACKER. There is none now perhaps. But here are numerous associations of this kind, religious and fraternal, that are securing incorporation and power under the Federal Government, and in the future they may own half of the city of Washington, and the combined influence of those great organizations throughout the country may be sufficient to exempt their entire holdings from taxation. I do not believe that the real estate of the country ought to be owned and held by corporations, except in so far as it is necessary to carry on the purpose of their creation.

Mr. OLCOTT. That was the reason that we made the amendment in the committee, that the investments can not be made in real estate. The corporation can only take real estate that is devised to it. Now the gentleman very well knows that not only here, but I think in every community, property that is owned by a religious corporation or an educational institution that is not used for purposes of religious instruction or for the purposes of education is not exempted from taxation. I think the fear of the gentleman from Indiana is unfounded.

Mr. CRUMPACKER. Well, I will not press my objection further. It may be the limitation on the income to $100,000 is a sufficient safeguard against the inordinate accumulation of real estate by this organization. This is a very worthy institution, I know; yet I think in making legislation we ought to have in view what may possibly arise under it—the possible exercise of the power that the bill carries. Real estate ought to be in private ownership chiefly, so it will be subject to the laws of inheritance that tend to prevent its monopolization.

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

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

NATIONAL SAFE DEPOSIT, SAVINGS AND TRUST COMPANY.

Mr. BABCOCK. Mr. Speaker, I call up from the Speaker's table the bill S. 8014, a similar House bill having been reported.

The Clerk read as follows:

A bill (S. 8014) to authorize The National Safe Deposit, Savings and Trust Company of the District of Columbia, to change its name to that of National Savings and Trust Company.

Be it enacted, etc., That the National Safe Deposit, Savings and Trust Company, of the District of Columbia, a body corporate, duly incorporated under an act approved October 1, 1890, and entitled "An act to provide for the incorporation of trust, loan, mortgage, and certain other corporations within the District of Columbia," be, and is hereby, authorized to change its name to National Savings and Trust Company, the said change of name to be complete and effectual when said corporation shall have filed with the recorder of deeds of the District of Columbia an amended certificate of incorporation setting forth the change in name hereby authorized, and shall also have filed a copy of said amended certificate of incorporation with the Comptroller of the Currency of the United States.

SEC. 2. That Congress may at any time amend, alter, or repeal this act.

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

On motion of Mr. BABCOCK, the bill H. R. 24841, on the same subject, was laid on the table.

WASHINGTON MARKET COMPANY.

Mr. BABCOCK. Mr. Speaker, I desire to call up Senate bill 6470, which by error, as I think, is on the Calendar of the Committee of the Whole House on the state of the Union.

The SPEAKER. By mistake the bill (S. 6470) in relation to the Washington Market Company was referred to the Union Calendar. It should have been referred to the House Calendar. The Chair, under the practice, will order its transfer; and the gentleman desires to call up the Senate bill.

Mr. BABCOCK. I desire to call up the Senate bill.

The Clerk read as follows:

A bill (S. 6470) in relation to the Washington Market Company.

Be it enacted, etc., That the Washington Market Company be, and hereby is, authorized, in connection with the refrigeration of produce stored or sold at Center Market, to manufacture ice at any suitable place within the District of Columbia.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Washington Market Company be, and it is hereby, authorized to procure by purchase or lease all or part of square No. 328 in the city of Washington, and thereon conduct a cold-storage busi-

ness and manufacture ice for use in Center Market and for sale: *Provided*, That nothing in this act shall be held to limit or affect in any way any of the provisions of 'An act to incorporate the Washington Market Company,' approved May 20, 1870.

"SEC. 2. That the right to alter, amend, or repeal this act, without any liability therefor, is hereby expressly reserved."

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

Mr. BABCOCK. Certainly.

Mr. DRISCOLL. Is this to give this company the power to condemn and purchase?

Mr. BABCOCK. Oh, no; I understand they own the property now, but objection was made to the bill because it did not specifically describe the property. This bill does.

Mr. HEPBURN. Mr. Speaker, I would like if the gentleman in charge of the bill would tell us who this Washington Market Company is and what their rights are in the premises which they now occupy.

Mr. BABCOCK. Well, I could not answer that question in detail, except to say that the Washington Market Company has the principal market here. It is a corporation authorized to do all things pertaining to a general market business. This bill is for the purpose of allowing them to build a cold storage or ice house near the depot. Under the provisions of their charter their attorney did not think they had the authority to build off the particular premises they occupy under their charter. This authorizes them to build an ice house on ground that they own.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

The bill H. R. 20178, a similar House bill, was laid on the table.

PROHIBITING THE SALE OF INTOXICATING LIQUORS NEAR CERTAIN INSTITUTIONS.

Mr. BABCOCK. Mr. Speaker, I call up the bill S. 4267.

The bill was read, as follows:

A bill (S. 4267) to prohibit the sale of intoxicating liquors near the Government Hospital for the Insane and the District almshouse.

Be it enacted, etc., That it shall be unlawful to sell, either by wholesale or retail, intoxicating liquor of any kind at any point between the Government Hospital for the Insane and the District almshouse, or within a radius of one-half mile of the boundaries of either of said properties.

The amendment recommended by the committee was read, as follows:

In line 5 strike out the words "District almshouse" and insert "Home for the Aged and Infirm."

The amendment was agreed to.

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

The title was amended so as to read:

An act to prohibit the sale of intoxicating liquors near the Government Hospital for the Insane and the Home for the Aged and Infirm.

SUPREME LODGE OF THE KNIGHTS OF PYTHIAS.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill H. R. 17212.

The bill was read, as follows:

A bill (H. R. 17212) to amend an act to incorporate the Supreme Lodge of the Knights of Pythias.

Be it enacted, etc., That section 2 of an act approved June 29, 1894, entitled "An act to incorporate the Supreme Lodge of the Knights of Pythias," be, and the same is hereby, amended by striking out the words "not exceeding in value $100,000;" so that said section 2 shall read as follows:

"SEC. 2. That the said corporation shall have the power to take and hold real and personal estate, which shall not be divided among the members of the corporation, but shall descend to their successors for the promotion of the fraternal and benevolent purposes of said corporation."

SEC. 2. That this act shall take effect from and after its passage and approval.

Mr. CRUMPACKER. Mr. Speaker, I desire to offer an amendment along the line I offered a few moments ago.

The SPEAKER. Does the gentleman yield?

Mr. BABCOCK. I yield to the gentleman.

Mr. CRUMPACKER. At the end of section 2 insert the following.

The Clerk read as follows:

At the end of section 2 insert the following:

"*Provided*, That said corporation shall not hold or own real estate to the aggregate value of $1,000,000 at any time."

Mr. BABCOCK. I accept the amendment.

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

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

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, I have two small matters here which are on the Calendar of the Committee of the Whole House——

The SPEAKER. The Whole House on the state of the Union?

Mr. BABCOCK. No; the Committee of the Whole House. I ask, Mr. Speaker, that that committee may be discharged from the consideration of the bill S. 7028 and the bill S. 3702.

Mr. SIMS. What bills are they?

Mr. MADDEN. I reserve the right to object.

Mr. HULL. The gentleman does not need to reserve the right. He already has it.

The SPEAKER. The Chair will state that on Mondays, notwithstanding this bill S. 7028 is on the Private Calendar, under the rule and practice, as the Chair is advised, the gentleman may call up the bill for consideration. He might move to go into Committee of the Whole House for the purpose of considering the bill; but now the gentleman asks unanimous consent that the Committee of the Whole House may be discharged from consideration of the bill, and that the same may be considered in the House as in Committee of the Whole. Is there objection?

Mr. SIMS. What bill is it?

Mr. MANN. We have not heard what the bill is yet.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7028) for the relief of the Allis-Chalmers Company, of Milwaukee, Wis.

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and directed to cause to be paid from the appropriation for the water department, District of Columbia, extension of the high-service system, to the Allis-Chalmers Company, of Milwaukee, Wis., the sum of $8,870, deducted by the Commissioners of the District of Columbia as a penalty, under contract No. 3047, dated November 11, 1901.

Mr. MANN. Mr. Speaker, at the proper time I propose to make the point of order against this that the Committee on the District of Columbia had no jurisdiction to consider or report the bill.

Mr. BABCOCK. I have no objection to the point of order.

The SPEAKER. The Chair did not understand the gentleman from Illinois.

Mr. MANN. I say at the proper time I propose to make the point of order that this is a private claim, and that the Committee on the District of Columbia had no jurisdiction to consider or report it.

Mr. BABCOCK. Mr. Speaker, I desire to make a statement in reference to this. This is money that has been appropriated by Congress for this specific purpose, but withheld by the Commissioners as a penalty.

Mr. MANN. The bill is purely a claim against the Government. As shown by the report, and practically by the bill, the Commissioners of the District of Columbia could not pay the money, not being authorized by law. The money was retained, as a penalty. Now this company presents a claim against the Government, which is like all other claims against the Government, a pure claim, not founded upon any law, not founded upon anything which can be considered by the Department. It is a pure claim against the Government, and ought to go to the Committee on Claims.

Mr. BABCOCK. I will say, Mr. Speaker, that this is entirely a District matter, on a District contract, and that the Commissioners have asked authority to make this payment, which they believe is in justice due to these parties.

Mr. MANN. I call the attention of the Chair to clause 3 of Rule XXI, page 281 of the Manual, which provides that no bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named committees, naming various committees not including the Committee on the District of Columbia.

The SPEAKER. Has the gentleman from Wisconsin another bill similar to this?

Mr. BABCOCK. I think not.

The SPEAKER. The gentleman spoke of two bills.

Mr. BABCOCK. There is another bill (S. 3702) for the relief of the Gurley Memorial Presbyterian Church, of the District of Columbia, but it is not in the same status as this bill.

The SPEAKER. The Chair calls the attention of the gentleman from Illinois to clauses 1 and 2 of Rule XXII. The Chair would be glad if the gentleman from Wisconsin would ask unanimous consent that the committee may be discharged and that he may call this bill up to-morrow morning after the reading of the Journal. The point of order would lie, if it would lie at all, in the event that the committee was discharged. It seems to be a question for which there is no precedent. It requires an examination of Rules XXI and XXII and some consideration, and the Chair would be glad to have until to-morrow morning to consider it.

Mr. MANN. I have no objection to that.

Mr. BABCOCK. I ask unanimous consent.

The SPEAKER. Is there objection to discharging the committee from further consideration of the bill and letting it go over until to-morrow morning?

Mr. MANN. I have no objection to that.

The SPEAKER. The Chair hears no objection.

Mr. MANN. Because, if it were in order, it could be called up now.

Mr. BABCOCK. But the Chair desires that the matter go over until to-morrow morning.

The SPEAKER. The Chair can not decide upon it, as it is now before the Chair.

Mr. MANN. If it is in order, he can move now to go into Committee of the Whole on the state of the Union. I am perfectly willing that it should await the decision of the Chair until to-morrow morning, without taking any advantage at this time.

The SPEAKER. Then it will be in order to-morrow morning as of to-day.

GURLEY MEMORIAL PRESBYTERIAN CHURCH.

Mr. BABCOCK. Mr. Speaker, I now call up the other bill referred to (S. 3702) for the relief of the Gurley Memorial Presbyterian Church, of the District of Columbia, and for other purposes. I wish to say that this bill was referred to the Committee on the District of Columbia under Rule XXI by the unanimous order of the House. It was referred to the Committee on Claims and reported back to the House with the request that it be referred to the Committee on the District of Columbia, which was done by unanimous consent. I ask unanimous consent that the committee be discharged from further consideration and that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is here objection to that request?

Mr. MANN. Mr. Speaker, I have no objection to the request, but I wish to make the same point of order.

The SPEAKER. Precisely. [After a pause.] The Chair hears no objection. The gentleman from Illinois desires to make a point of order. The Chair will hear from the gentleman from Illinois.

Mr. MANN. Mr. Speaker, both of the bills involve the same construction of a rule, but under different circumstances, and I suggest that they both go over so that they can be both decided in the morning.

Mr. BABCOCK. This, Mr. Speaker, was sent to the Committee on the District of Columbia under Rule XXI by the unanimous consent of the House, and reported back to the House by the chairman of the Committee on Claims, complying exactly with the rules.

Mr. MANN. Mr. Speaker, I understand, but the rule provides that an erroneous reference under this clause shall not confer jurisdiction on the committee.

Mr. BABCOCK. Will the gentleman read that part of the rule he read in the first place?

Mr. MANN. Rule XXI, clause 2, provides for a rereference, but the latter part of the rule provides that an erroneous reference under this clause shall not confer jurisdiction upon the committee. I suggest that, involving the construction of the same rule under different circumstances, they both might well be considered and decided at the same time to-morrow.

The SPEAKER. The Chair will call the attention of the gentleman from Illinois to what seems to the Chair to be a distinction between this bill and the one that goes over until to-morrow. This bill was referred to the Committee on Claims.

Mr. MANN. Mr. Speaker, I understand the distinction to which the Speaker desires to refer. In one case the bill is referred merely by a Member introducing it and by writing the name of the committee on it and putting it in the basket. In the other case it again comes before the House, having been referred by a Member, and by unanimous consent is referred to another committee.

The SPEAKER. Yes.

Mr. MANN. But it involves a construction of the same rule; and while there is a distinction, I do not mean to say that the Chair may not properly hold that this bill is properly before the House. I suggest, however, that as long as one is to go over both may properly go over and be considered at the same time.

The SPEAKER. The Chair calls the attention of the gentleman also to the fact that this is a Senate bill, and a Member has nothing to do with the reference of it. Under the rule the Speaker, acting for the House, referred it to the Committee on Claims. The Committee on Claims brought it back to the House, and the House, by unanimous consent, changed the reference to the Committee on the District of Columbia. So that it is the action of the House, and it has been ruled that such action confers jurisdiction without regard to the rules in many cases, many precedents.

Mr. MANN. I take it that the Chair has good reasons for the position which he may assume; but if that be the decision, then the latter part of that clause apparently means but very little, because in section 2, which is that clause, it refers not to a bill referred by the Member in the basket, but to a bill referred by the House, and the latter part of the clause says that an erroneous reference under this clause shall not confer jurisdiction upon the committee to consider or report the same.

The SPEAKER. But the gentleman will notice that the rule he now refers to seems to cover House bills referred by Members. This is a Senate bill, referred originally by the Speaker to the Committee on Claims, and, under Rule XXIV, reported back from the Committee on Claims with recommendations that it be referred to the Committee on the District of Columbia, and the House unanimously referred it to that committee. There are many precedents where, without regard to the rule, the House by a majority has referred bills to committees, thereby conferring jurisdiction.

The Chair is inclined to the opinion that as to this bill the point is not well taken.

Mr. MANN. If the Chair is prepared to rule, of course I have no desire to have it go over, but——

The SPEAKER. It seems to the Chair that the point is not well taken as to this bill. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the trustees or other authorized representatives of the various religious and educational institutions mentioned herein the sums set forth in their respective cases, said amounts having been heretofore erroneously paid by the said religious and educational institutions on account of special assessments or taxes levied against such religious and educational institutions, and which character of assessments or taxes the court of appeals of the District of Columbia heretofore held, in the case of the District of Columbia against Sisters of the Visitation, of Washington, reported in volume 15, Tucker's Reports, page 300 et seq., to be illegal and void and not a charge against such property.

Educational properties: Corcoran Gallery of Art, $161.53; Columbian University, $135.05; medical and dental department, National University, $77.38; Howard University, $613.14.

Religious properties: Church of the Covenant, $167.01; Shiloh Baptist Church, $9.70; Gunton-Temple Memorial Presbyterian Church, $214.32; St. Matthew's Church, $300.48; All Souls' Church, $114.32; Epiphany Church, $12.23; Fourth Baptist Church, $66.18; Universalist General Convention, $76.95; St. Paul's English Lutheran Church, $145.52; Marvin Methodist Episcopal Church, $17.94; Westminster Presbyterian Church, $44.76; Lutheran Church, $16.18; Mount Moriah Baptist Church, $48.60; Gonzaga College (St. Aloysius Church), $79.40; vestry of St. Mark's Parish, $41.31; Metropolitan Presbyterian Church, $70.21; German Baptist Brethren Church, $44.45; Mount Jezriel Church, $12.85; Washington Seventh Day Adventist Church, $49.56; Ninth Street Christian Church, $52.27; Douglas Memorial Methodist Episcopal Church, $23.05; Israel Baptist Church, $14.48; Missionary Board Brethren Church, $22.96; St. Cyprian's Church, $82.66; East Washington Station Colored Methodist Episcopal Church, $20.30; Methodist Protestant Church, $192.95; First Colored Baptist Church, $25.83; Ebenezer African Methodist Episcopal Church, $24.72; B. T. McCoy and others, trustees of church, $90; First Baptist Church, Mount Pleasant, $375; Mount Pleasant Congregational Society, $79.96; vestry of Takoma Parish, $35.69; Memorial Church of the United Brethren in Christ, of Washington, D. C., $62.19; Gurley Memorial Presbyterian Church, $200.24; Presbyterian Alliance, $86.07; St. Anthony's Church, $122.50; Brookland Baptist Church, $35.85; vestry Emanual Protestant Episcopal Church, $35.60.

Provided, That the amounts herein authorized and directed to be paid shall be payable out of the revenues of the District of Columbia.

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

Mr. OLCOTT. Mr. Speaker, I ask unanimous consent that the bill H. R. 129 be considered in the House as in Committee of the Whole House.

The SPEAKER. The Clerk will report the title of the bill.

REPRINT OF REPORT ON RIVER AND HARBOR BILL.

Mr. BURTON of Ohio. Will the gentleman kindly yield to me while I ask unanimous consent for the reprint of a document?

Mr. OLCOTT. Certainly.

Mr. BURTON of Ohio. Mr. Speaker, I ask unanimous consent that 500 additional copies be printed of the report of the river and harbor bill, Report No. 6752.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the reprint of 500 additional copies of the report on the river and harbor bill. Is there objection? [After a pause.] The Chair hears none.

CONNECTING PARKWAY BETWEEN SIXTEENTH STREET AND ROCK CREEK PARK.

The Clerk read as follows:

A bill (H. R. 129) for the opening of a connecting parkway along Piney Branch between Sixteenth street and Rock Creek Park, District of Columbia.

The SPEAKER. The gentleman from New York asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill

and that the same be considered in the House as in Committee of the Whole House. Is there objection?

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. MADDEN. I withdraw the objection.

The SPEAKER. The Chair hears no objection. The Clerk will report the bill.

The Clerk read the substitute, as follows:

Be it enacted, etc., That under and in accordance with the provisions of sections 491a to 491n, both inclusive, of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within ninety days after the passage of this act the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for connecting Sixteenth street with Rock Creek Park by a parkway of not more than 500 feet in width extending along or in the valley of Piney Branch, District of Columbia.

SEC. 2. That the sum of $600, or so much thereof as may be necessary, is hereby appropriated, one half out of the revenues of the District of Columbia and the other half out of any moneys in the Treasury not otherwise appropriated, to provide the necessary funds for the cost and expenses of the condemnation proceedings taken pursuant hereto, to be reimbursed to the revenues of the District of Columbia and the United States in equal parts from assessments for benefits when the same are collected, and a sufficient sum to pay the amounts of all judgments and awards is hereby appropriated, one half out of the revenues of the District of Columbia and the other half out of any moneys in the Treasury not otherwise appropriated.

Mr. CAMPBELL of Kansas. Mr. Speaker, I send the following amendment to the Clerk's desk.

The SPEAKER. The gentleman from Kansas offers an amendment to the substitute, which the Clerk will report.

The Clerk read as follows:

Page 8, line 18, strike out the word "five" where it appears in said line and insert in lieu thereof the following: "an average of four."

The amendment was agreed to.

The substitute as amended was agreed to.

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

REMOVAL OF OBSTRUCTIONS FROM PAVED SIDEWALKS AND ALLEYS.

Mr. BABCOCK. Mr. Speaker, I desire to call up the bill (H. R. 20067) for the removal of obstructions from sidewalks. This bill is on the Union Calendar, and I ask that the committee be discharged from further consideration of the bill and that it may be considered in the House as in Committee of the Whole House.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 20067) to remove dirt, gravel, sand, and other obstructions from the paved sidewalks and alleys in the District of Columbia, and for other purposes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the Committee of the Whole House on the state of the Union may be discharged from the further consideration of this bill and it be considered in the House as in Committee of the Whole House. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, empowered and directed to levy a special tax, to become due and payable after the time of doing the work hereinafter mentioned when and as general taxes on real estate in said District are payable, and subject to all general tax laws on real estate in said District not inconsistent herewith, of $1 per linear foot on and against any improved or unimproved lot in said district not owned, rented, leased, or occupied by the United States and the District of Columbia, respectively, or foreign governments, embassies, legations, ambassadors, or ministers for each front from which lot dirt, gravel, sand, or other obstruction falls, caves, washes, and becomes deposited on the abutting or adjacent paved sidewalks or alleys within said District, and which remains thereon and is caused to be removed by the Commissioners of the District of Columbia at any time after notice which the Commissioners of said District shall cause to be given in accordance with the provisions of an act entitled "An act to provide for the abatement of nuisances in the District of Columbia," and so forth, approved April 14, 1906.

SEC. 2. That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to make, establish, alter, and amend, from time to time, as they may find necessary, all needful rules and regulations which are required in their judgment to properly administer and enforce the operation of this act: *Provided*, That nothing herein contained shall be held or construed to make the District of Columbia or the said Commissioners liable at the suit of private individuals or private or public corporations for any default, failure, or neglect in the administration of this act, and no action shall accrue therefor.

SEC. 2. That in order to enable the said Commissioners to comply with their duties under this act and to carry it into effect, the Secretary of the Treasury is hereby authorized and directed to advance to the disbursing officer of the District of Columbia, in manner now prescribed by law, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $10,000, or so much thereof as the said Commissioners may find necessary to use for the purposes hereof, and to reimburse the Treasury for one-half of said advance, payable out of the taxes and revenues collected, as herein provided.

Mr. MANN. Mr. Speaker, I think we ought to have some explanation of this bill, as it seems to be an entirely new proposition.

Mr. OLCOTT. Mr. Speaker, this is a bill that is strongly recommended and asked for by the Commissioners of the District of Columbia in order to make some proper penalty to persons who own property, improved or otherwise, and who do not take proper care of the embankments adjoining sidewalks, and when rains come and dirt falls down on the sidewalks the District is obliged, unless a bill of this character is passed, to remove the dirt from these banks at the expense of the District. This bill is to give the Commissioners authority to collect from the owners of property a penalty for not taking care of their own property with consideration of the rights of citizens of Washington.

Mr. MANN. How often may this assessment be levied?

Mr. OLCOTT. I presume the assessment will be levied immediately after the work is performed on any particular piece of property.

Mr. MANN. It will likely be two or three times a year?

Mr. OLCOTT. Whatever charge there is against the property. If they are not taking care of their own property, there will be a lien upon that property and it will be filed in the usual way as penalties for the violation of any other municipal ordinance are levied and collected.

Mr. MANN. The gentleman says "not taking care of their own property." This bill is not confined to a question of whether this man takes care of his own property or not. Any dirt that is deposited on the sidewalk by anybody, under this bill, it being the duty of the District to keep the sidewalk clean—somebody deposits dirt upon the sidewalk, or it washes from some lot onto the sidewalk——

Mr. OLCOTT. I have always believed it was the duty of those who owned property to care for the sidewalk connected therewith. This has nothing to do with the street. We have now an ordinance against allowing snow and ice to remain on the sidewalk.

Mr. MANN. The gentleman, I suppose, is aware that the court has held that that law is invalid?

Mr. OLCOTT. The law in regard to the removal of snow and ice?

Mr. MANN. Yes, sir.

Mr. OLCOTT. I am not aware of it, and I think the gentleman from Illinois [Mr. MANN] is in error.

Mr. MANN. I will inform the gentleman that it has been so held by the court in the District. It is invalid, and I judge this law will be invalid.

Mr. OLCOTT. The decision was in regard to a law that previously existed, and at the last session of Congress we passed a law providing for the objections that were raised by the court itself, and this follows the lines exactly of the law that was passed to meet the decision of the supreme court to the effect that the previous law was unconstitutional.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and the bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MANN. Division, Mr. Speaker.

The House divided; and there were—ayes 45, noes 4.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER proceeded to count.

Mr. PAYNE. I want to suggest to the gentleman from Wisconsin [Mr. BABCOCK] that there is evidently no quorum present, and it will be a good time to adjourn.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the bill may lie over, retaining its present status, until the next District day.

The SPEAKER. Does the gentleman from Illinois [Mr. MANN] withdraw his point on the condition that the bill go over as unfinished business?

Mr. MANN. I have no objection, Mr. Speaker, to withdrawing the point of no quorum if the bill is to be laid aside.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the bill be laid aside.

The SPEAKER. The bill necessarily will come up as unfinished business on the next District day. The gentleman from Illinois [Mr. MANN] withdraws his point of no quorum.

WASHINGTON AQUEDUCT.

Mr. BABCOCK. Mr. Speaker, I desire to call up the bill S. 7042.

The SPEAKER. The gentleman from Wisconsin [Mr. BABCOCK] calls up the bill S. 7042, of which the Clerk will read the title.

The Clerk read as follows:

To transfer jurisdiction of the Washington Aqueduct, the filtration plant, and appurtenances to the Commissioners of the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That from and after July 1, 1907, the Commissioners of the District of Columbia shall have all the powers and be subject to all the duties and limitations which under existing law are delegated to and imposed upon the Chief of Engineers of the United States Army in so far as the same relate to the jurisdiction and control over the Washington Aqueduct and its appurtenances in the District of Columbia, State of Virginia, and State of Maryland; and the said Commissioners are hereby given sole control over the Conduit road and the filtration plant, it being the intention of this act that the entire control over the Washington Aqueduct and all of its appurtenances, the filtration plant, Conduit road, all water mains, and the water-distribution system of the District of Columbia shall, on and after said date, be under the sole and exclusive jurisdiction and control of the said Commissioners of the District of Columbia, and that the Secretary of War and Chief of Engineers of the United States Army shall be relieved of all duty and responsibility in connection with all of such work; and the Secretary of War and Chief of Engineers shall, on request of the Commissioners of the District of Columbia, deliver to them all existing plans, surveys, and records, or duly certified copies thereof, deemed necessary or required by said Commissioners to enable them to discharge the duties imposed on them by this act, the cost of making said copies to be paid by said Commissioners; and all property connected with said works shall be delivered to said Commissioners; and all appropriations available for the Washington Aqueduct, District of Columbia, and its appurtenances, including the filtration plant, shall be expended under the direction and control of the Commissioners of said District, and the employees paid from said appropriations shall be transferred to the jurisdiction of the said Commissioners for assignment to such duties as may be deemed necessary to carry into effect the provisions of this act: *Provided, however*, That the supply of water to all buildings, parks, structures, lands, etc., owned or used by the United States shall be at all times free and unrestricted.

SEC. 2. That all laws and parts of laws inconsistent with the provisions hereof are hereby repealed.

The SPEAKER. The bill is upon the Union Calendar.

Mr. FITZGERALD. Mr. Speaker, I make the point of order——

Mr. PAYNE. Mr. Speaker, it ought to be fully considered, as I understand it takes the water system out from under the control of the War Department and puts it in the hands of the District Commissioners.

The SPEAKER. The bill can not be considered in the House without unanimous consent.

Mr. PAYNE. Mr. Speaker, I make the point that it must be considered in the Committee of the Whole.

Mr. BABCOCK. Mr. Speaker, I will take up no further business to-day, except to ask for the appointment of conferees on the bill (S. 6364) to incorporate the National Child Labor Committee.

NATIONAL CHILD LABOR COMMITTEE.

The SPEAKER laid before the House the bill (S. 6364) to incorporate the National Child Labor Committee, with House amendment disagreed to.

Mr. BABCOCK. I move to insist on the House amendment and agree to the conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. TAYLOR of Ohio, Mr. SAMUEL W. SMITH, and Mr. SIMS as conferees.

VIEWS OF MINORITY ON SHIPPING BILL.

Mr. SPIGHT. Mr. Speaker, in accordance with an agreement had with the chairman of the committee, I ask unanimous consent to file the views of the minority on the substitute reported from that committee for the bill S. 529, called the "ship-subsidy bill."

The SPEAKER. Consent has already been granted, the Chair believes.

Mr. SPIGHT. No, sir; I think not. I do not think it appears of record.

The SPEAKER. The Chair understands that the minority was given until Tuesday to file their views.

The views of the minority were ordered printed.

PRINTING REPORT OF POSTAL COMMISSION.

Mr. GRIGGS. Mr. Speaker, I call up the following privileged report.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 10,000 copies of the Report of the Postal Commission, appointed under the provisions of the act making appropriations for the service of the Post-Office Department, approved June 26, 1906, being House Document No. ——, Fifty-ninth Congress, second session.

Mr. PAYNE. Is that report from the Committee on Printing?

Mr. GRIGGS. Yes, sir.

The SPEAKER. Is this from the Committee on Printing?

Mr. GRIGGS. Yes, sir.

The SPEAKER. Does the gentleman desire to fill the blank?

Mr. GRIGGS. Mr. Speaker, I do not know the number of the document. I think it has not been given a number yet; but the document is sufficiently described, however.

Mr. PAYNE. It seems to me there ought to be an estimate of cost.

The SPEAKER. The document can be ascertained without number.

Mr. GRIGGS. I think it is sufficiently described.

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

REPORT OF POSTAL COMMISSION AND TESTIMONY.

Mr. GRIGGS. Mr. Speaker, I call up the following privileged report.

The Clerk read as follows:

Resolved, That there be printed 6,000 copies of the Report of the Postal Commission appointed under the provisions of the act making appropriations for the service of the Post-Office Department, approved June 26, 1906, being House Document No. ——, Fifty-ninth Congress, second session, to be accompanied by the testimony taken by the said Commission, together with the accompanying exhibits and digests, 2,000 copies for the use of the Senate and 4,000 copies for the use of the House of Representatives.

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

ALLIS-CHALMERS COMPANY, OF MILWAUKEE, WIS.

Mr. BABCOCK. Mr. Speaker, I understand the objection has been withdrawn to the consideration of the bill S. 7028.

Mr. MANN. Mr. Speaker, I made the point of order on the Allis-Chalmers claim because on its face it seemed to me that it was subject to the point of order that it did not come from the proper committee. Upon a further investigation it seems to me to be a good claim for services rendered the District of Columbia; and therefore, so far as I am concerned, I withdraw the point of order.

The bill was read, as follows:

An act (S. 7028) for the relief of the Allis-Chalmers Company, of Milwaukee, Wis.

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized and directed to cause to be paid from the appropriation for the water department, District of Columbia, extension of the high-service system, to the Allis-Chalmers Company, of Milwaukee, Wis., the sum of $8,870, deducted by the Commissioners of the District of Columbia as a penalty, under contract No. 3047, dated November 11, 1901.

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

SALE OF FEED SUPPLIES AT FORT ASSINNIBOINE, MONT.

Mr. DIXON of Montana. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution 231, authorizing the Secretary of War to sell certain hay, straw, and grain at Fort Assinniboine, Mont.

Resolved, etc., That the Secretary of War be, and he is hereby authorized to cause to be sold to the citizens of Montana, at its actual cost to the United States at place of sale, such limited quantities of hay, straw, and grain for domestic uses as, in his judgment, can safely be spared from the stock provided for the use of the garrison at Fort Assinniboine, Mont.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object, is this a Senate or House resolution?

Mr. DIXON of Montana. It is a House resolution.

Mr. MANN. I would like to ask if there is any time limitation for that? Is this forever, or for the season?

Mr. DIXON of Montana. I will say in answer to that question, Mr. Speaker, that I have received a telegram showing the urgent necessity for this provision. I understand that there are from 15,000 to 20,000 head of cattle in that neighborhood that are on the very verge of starvation. We merely ask that permission to be given to the Secretary of War to sell them some hay and such garrison stores as are in excess of their wants.

Mr. MANN. I did not catch anything in the reading of this to indicate how long it would last.

Mr. DIXON of Montana. I copied it from a resolution that was passed in the last Congress.

Mr. MANN. It seems to provide forever.

Mr. DIXON of Montana. I will move to insert an amendment limiting the time.

Mr. MANN. Say within the next three months.

Mr. DIXON of Montana. The next three weeks will do.

The Clerk read as follows:

Insert after the word "sold" the words "within the next three months."

Mr. DIXON of Montana. Three months will cover it.

The amendment was agreed to.

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

Mr. DIXON of Montana. Mr. Speaker, I ask leave to insert this telegram in the RECORD.

There was no objection.

The telegram is as follows:

FORT BENTON, MONT., *January 28, 1907.*

Hon. JOS. M. DIXON,
House of Representatives, Washington:

Will you have War Department authorize commandant at Fort Assiniboine to furnish hay to ranchers in such quantities as can be spared on guaranty of Stockmen's National Bank that same will be returned in like quantity and quality as soon as weather will permit? This request is made by people here to prevent threatened loss of stock through hay shortage and continued storms and cold weather. Please answer my expense.

CHAS. N. PRAY.

LAND FOR UNIVERSITY OF OKLAHOMA.

Mr. McGUIRE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25013) granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north, of range No. 3 west of the Indian meridian, in Cleveland County, Okla.

The bill was read, as follows:

Be it enacted, etc., That all of section No. 36, in township No. 9 north, of range No. 3 west, of the Indian meridian, in Cleveland County, Okla. T., the same being a portion of the lands reserved to said Territory for common school purposes, be, and the same is hereby, granted to the regents of the University of Oklahoma, to be and become the property of the University of Oklahoma for the purpose of being used for and securing a proper campus and grounds for building purposes for the use of the said university, but no indemnity either in money or in land shall be allowed the State of Oklahoma for this section: *Provided,* That the board of regents of the university may use or dispose of and convey any portion of said grounds for the purpose of acquiring grounds contiguous to the present grounds belonging to said university and to enlarge the campus and grounds for building and campus purposes in connection therewith.

SEC. 2. That the leases to the present tenants thereon, made by the board for leasing school lands in the Territory of Oklahoma, shall remain in full force and effect until their respective expirations, and that the governor of the Territory of Oklahoma shall appoint, on the application of the board of regents of said University of Oklahoma, three disinterested freeholders of said county to appraise the value of the improvements on said lands belonging to the lessees thereof, and such improvements shall be appraised at the fair, reasonable value thereof, and the said appraisers shall give ten days' notice of the time when such appraisement shall be made by posting the same in a conspicuous place on each quarter section of said lands, and shall take an oath fairly and impartially to appraise the improvements of the said lessees on said lands at the fair, reasonable value thereof, and shall make report of such appraisement and file the same with the governor of the Territory of Oklahoma with such oath, and the board of regents of said University of Oklahoma shall immediately pay the amount so fixed to the treasurer of the Territory of Oklahoma for the use of such lessees and have immediate possession of said lands: *Provided,* That if either the board of regents of said University of Oklahoma or said lessees shall feel themselves aggrieved by the valuation of such appraisers, they may within thirty days from the filing of such report with the governor of the Territory appeal to the district court of said county by filing notice with the governor of said Territory and filing a bond to be approved by the governor conditioned that such person or said board of regents will prosecute such appeal to effect and without unnecessary delay, and pay all costs and judgments that may be awarded against them in said proceeding. And the governor of said Territory shall immediately cause a copy of the application of said board and the appointment and oath and report of said appraisers, together with the bond aforesaid, to be filed with the clerk of the district court of said Cleveland County, whereupon the question of the amount of damages sustained by such lessees shall be tried de novo by a jury: *And provided further,* That the board of regents of said University of Oklahoma are hereby vested with full authority, on behalf of said Territory, to settle and adjust the differences between said board of regents and the lessees of such lands and make such settlements as the board of regents may deem just and proper: *And provided further,* That when said Territory shall become a State the governor of said State shall be the successor of the governor of said Territory under the provision of this act.

The SPEAKER. Is there objection?

There was no objection.

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

BRIDGE ACROSS THE MISSISSIPPI RIVER, MINNESOTA.

Mr. BUCKMAN. Mr. Speaker, I ask to take from the Speaker's table the bill (S. 7827) permitting the building of a railway bridge across the Mississippi River in Morrison County, State of Minnesota.

The SPEAKER. The Chair lays before the House from the Speaker's table a Senate bill substantially the same as a House bill on the Calendar, which bill the Clerk will report.

The bill was read.

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

By unanimous consent (at the request of Mr. BUCKMAN), the corresponding House bill on the Calendar was ordered to lie on the table.

FILES, ETC., OF THE INDUSTRIAL COMMISSION.

Mr. McCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 211, authorizing the transfer of the files, books, and pamphlets of the Industrial Commission.

The joint resolution was read, as follows:

Resolved, etc., That all official minutes and files of correspondence of the Industrial Commission deposited with the Librarian of Congress by the joint resolution of February 21, 1902, be transferred to the Department of Commerce and Labor, to become the property of said Department. The Librarian of Congress is hereby authorized to select from the volumes and pamphlets constituting the library of the Industrial Commission such publications as may be needed for the uses of the Library of Congress, which books shall become the property of the Library of Congress, and to turn over the residue of such volumes and pamphlets to the Department of Commerce and Labor, to become the property of the said Department.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker——

Mr. WILLIAMS. Mr. Speaker, I do not think I understand this altogether. How many volumes will there be, and what is meant by their becoming the property of the Department of Commerce and Labor?

Mr. McCLEARY of Minnesota. Mr. Speaker, it will be remembered that by act of Congress several years ago a body was created called the "Industrial Commission." During its investigations the Commission gathered up certain statistics, papers, books of reference, and so forth. Upon the expiration of the term of the Commission those books and papers were, by resolution of Congress, temporarily placed for safe-keeping in the building of the Library of Congress. They are in the way there. The Library of Congress has use for perhaps part of the books, but not for the records and other papers. On the other hand, I am advised that the Department of Commerce and Labor would like very much to have the originals of these documents.

Mr. WILLIAMS. What are they going to do with them when they get them?

Mr. McCLEARY of Minnesota. They want them for their files, I presume, for purposes of reference.

Mr. WILLIAMS. How many sets of them are there?

Mr. McCLEARY of Minnesota. They constitute all the papers, letters, books, and everything gathered up by the Industrial Commission.

Mr. WILLIAMS. Are they printed?

Mr. McCLEARY of Minnesota. Some of them are printed and some of them are letters and other papers.

Mr. WILLIAMS. Not something that can be distributed, then?

Mr. McCLEARY of Minnesota. No; there is just the one set.

Mr. WILLIAMS. That is what I wanted to know—just one set?

Mr. McCLEARY of Minnesota. Yes.

Mr. WILLIAMS. Then I have no objection.

Mr. MANN. How much space do they occupy now?

Mr. McCLEARY of Minnesota. So much space that the officials of the library object to their remaining there, because they need that space, and the officials of the Department of Commerce and Labor desire them for their reference library.

Mr. MANN. The gentleman is aware that the whole Department of Commerce and Labor and its entire building would not occupy as much space as one set of the book stacks in the Library, and they have a great many book stacks in the Library and not an inch of available space in the Department of Commerce and Labor to-day.

Mr. McCLEARY of Minnesota. The best place for this material is in the Department of Commerce and Labor.

Mr. MANN. The other day the Committee on Appropriations recommended that all of these books now in the Department of Commerce and Labor be transferred to the Library. To that I objected on a point of order, and it went out of that bill. And in their absence I shall object to this.

Mr. McCLEARY of Minnesota. This is not a matter that the Committee on Appropriations has properly to do with. It is a matter over which the Committee on the Library has jurisdiction.

Mr. MANN. But the Committee on Appropriations brought in a recommendation that all of these Department libraries be abolished. The gentleman did not make the point of order; I made the point of order and it went out on that point of order. The Committee on Appropriations was insistent that all Department libraries be abolished, and now the gentleman from Minnesota [Mr. McCLEARY] proposes not only not to abolish the libraries, but to put a set of books more in that Department.

Mr. McCLEARY of Minnesota. This is material which the Department of Commerce and Labor desires for the use of its officials.

Mr. MANN. Why, in that case they can go and consult it here, and we may go and consult it if we desire if it is over here where it belongs—in the Congressional Library.

Mr. WILLIAMS. Mr. Speaker, does this require unanimous consent?

The SPEAKER. It does.

Mr. WILLIAMS. Then I object, and we will bring the matter to a conclusion.

The SPEAKER. The gentleman from Mississippi objects.

EXTENDING TIME TO CERTAIN HOMESTEAD ENTRYMEN.

The SPEAKER laid before the House Senate joint resolution 86, granting an extension of time to certain homestead entrymen with House amendments, with an amendment by the Senate to the House amendments.

The Clerk read the amendments.

Mr. LACEY. Mr. Speaker, I move to concur in the amendment of the Senate to the House amendments.

Mr. WILLIAMS. Is this the bill that was passed through the other day giving an extension of time to homesteaders?

Mr. LACEY. Yes. The only effect of this amendment by the Senate was to change the words "joint resolution 81" to "public resolution No. 4," that resolution having since become a law. A reference now to this would be as appears in the laws rather than by the number that it appeared to have when passing through the House. That is the only effect of this amendment to the amendment.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House concur.

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

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following letter; which was read and ordered to lie on the table:

WASHINGTON, D. C., *January 28, 1907.*

Hon. JOSEPH G. CANNON,
Speaker House of Representatives, Washington, D. C.

MY DEAR MR. CANNON: I beg leave to inform you that I have this day transmitted to the governor of Kansas my resignation as a Representative in the Fifty-ninth Congress from the First district of the State of Kansas.

Will you be good enough to inform the House of my action, together with my assurances of continued good will and good wishes for the Representatives with whom I have long been so pleasantly associated?

With warm personal regards and with great respect, I am,

Very truly, yours,

CHARLES CURTIS.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CLAUDE KITCHIN, for one week, on account of sickness in family.

To Mr. AIKEN, on account of sickness in family.

To Mr. SAMUEL, on Monday, on account of important business.

ADJOURNMENT.

Then, on motion of Mr. PAYNE, at 5 o'clock and 9 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 action by the court in the cases of Mary M. King and others against The United States, dismissed for want of prosecution—to the Committee on War Claims, and ordered to be printed.

A letter from the Librarian of Congress, submitting a report of mail deposited by his department in the Washington post-office under the penalty provision from July 1 to December 31, 1906—to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, submitting an estimate of appropriation for the court-house and custom-house at Laredo, Tex.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior, submitting, with a recommendation, a draft of a concurrent resolution for the printing of the report of the governor of Hawaii for the year 1906—to the Committee on Printing, and ordered to be printed.

A letter from the Chairman of the Interstate Commerce Commission, submitting a report of the investigation of the subject of railroad discriminations and monopolies in coal and oil—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

Report of the Postal Commission, authorized by Congress to make inquiry regarding second-class mail matter—to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

A letter from the Secretary of the Interior, submitting, with a copy of a letter from the Director of the Geological Survey, a report as to reclamation by drainage of the swamps tributary to Mud River, near Thief River Falls, Minn.—to the Committee on the Public Lands, and ordered to be printed, with illustrations.

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. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1726) making provision for conveying in fee the piece or strip of ground in St. Augustine, Fla., known as "The Lines," for school purposes, reported the same with amendment, accompanied by a report (No. 6893); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McGUIRE, from the Committee on the Territories, to which was referred the bill of the House (H. R. 25013) granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north, of range No. 3 west of the Indian meridian, in Cleveland County, Okla., reported the same without amendment, accompanied by a report (No. 6894); 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 on the Whole House, as follows:

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24829) granting an increase of pension to John R. Robbins, reported the same without amendment, accompanied by a report (No. 6753); 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. 24801) granting an increase of pension to George G. Martin, reported the same with amendment, accompanied by a report (No. 6754); 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. 24397) granting an increase of pension to David Prunkard, reported the same with amendment, accompanied by a report (No. 6755); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24344) granting an increase of pension to John H. James, reported the same with amendment, accompanied by a report (No. 6756); 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. 24288) granting an increase of pension to John Gooding, reported the same without amendment, accompanied by a report (No. 6757); 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. 24028) granting a pension to George H. Boney, reported the same with amendment, accompanied by a report (No. 6758); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23968) granting an increase of pension to Alexander McWhorter, reported the same with amendment, accompanied by a report (No. 6759); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23442) granting an increase of pension to James J. Lawley, reported the same without amendment, accompanied by a report (No. 6760); 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. 20952) granting an increase of pension to John W. Howe, reported the same without amendment, accompanied by a report (No. 6761); 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. 20622) granting a pension to Samuel Shoener, reported the same with amendment, accompanied by a report (No. 6762); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14228) granting an increase of pension to Abram Nussbaum, reported the same with amendment, accompanied by a report (No. 6763); 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. 20414) granting an increase of pension to Albert Launt, reported the same with amendment, accompanied by a report (No. 6764); 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. 18831) granting an increase of pension to James R. Wilson, reported the same with amendment, accompanied by a report (No. 6765); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21711) granting an increase of pension to Thor Nelson, reported the same with amendment, accompanied by a report (No. 6766); 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. 22630) granting an increase of pension to G. W. Wiley, reported the same with amendment, accompanied by a report (No. 6767); 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. 22727) granting an increase of pension to John Miller, reported the same with amendment, accompanied by a report (No. 6768); 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. 22823) granting an increase of pension to John Tipton, reported the same with amendment, accompanied by a report (No. 6769); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22547) granting an increase of pension to John Hickox, jr., reported the same with amendment, accompanied by a report (No. 6770); 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. 22562) granting an increase of pension to George J. Abbey, reported the same with amendment, accompanied by a report (No. 6771); 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. 22302) granting an increase of pension to Burrell H. Gillam, reported the same with amendment, accompanied by a report (No. 6772); 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. 22529) granting an increase of pension to William Truett, reported the same with amendment, accompanied by a report (No. 6773); 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. 22785) granting an increase of pension to Morton A. Pratt, reported the same with amendment, accompanied by a report (No. 6774); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22763) granting an increase of pension to Charles H. Slocum, reported the same with amendment, accompanied by a report (No. 6775); 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. 22617) granting an increase of pension to Margaret O'Reilly, reported the same with amendment, accompanied by a report (No. 6776); 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. 21306) granting an increase of pension to James Pool, reported the same with amendment, accompanied by a report (No. 6777); 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. 21336) granting an increase of pension to Herman Hoffmeister, reported the same with amendment, accompanied by a report (No. 6778); 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. 21342) granting an increase of pension to Charles A. Parker, reported the same with amendment, accompanied by a report (No. 6779); 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. 18604) granting an increase of pension to Thomas M. Luman, reported the same with amendment, accompanied by a report (No. 6780); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 18814) granting an increase of pension to Francis G. Knapp, reported the same with amendment, accompanied by a report (No. 6781); 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. 19599) granting an increase of pension to William J. Large, reported the same without amendment, accompanied by a report (No. 6782); 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. 19739) granting an increase of pension to Henry D. Miner, reported the same with amendment, accompanied by a report (No. 6783); 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. 20062) granting an increase of pension to Philip Lape, reported the same with amendment, accompanied by a report (No. 6784); 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. 11621) granting an increase of pension to Hollis Smith, reported the same without amendment, accompanied by a report (No. 6785); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11995) granting an increase of pension to Wesley Layton, reported the same without amendment, accompanied by a report (No. 6786); 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. 16439) granting an increase of pension to Patrick Bogan, reported the same with amendment, accompanied by a report (No. 6787); 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. 21348) granting an increase of pension to William Seymour Alden, reported the same with amendment, accompanied by a report (No. 6788); 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. 16608) granting an increase of pension to Catherine McNamee, reported the same with amendment, accompanied by a report (No. 6789); 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. 21525) granting an increase of pension to John Short, reported the same with amendment, accompanied by a report (No. 6790); 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. 16687) granting an increase of pension to Jefferson G. Turner, reported the same without amendment, accompanied by a report (No. 6791); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15688) granting an increase of pension to Esther C. Kelly, reported the same with amendment, accompanied by a report (No. 6792); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21559) granting an increase of pension to William Ivers, reported the same with amendment, accompanied by a report (No. 6793); 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. 21659) granting an increase of pension to Rosa Sevin, reported the same with amendment, accompanied by a report (No. 6794); 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. 21746) granting an increase of pension to William N. Carlisle, reported the same with amendment, accompanied by a report (No. 6795); 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. 21974) grant-

ing an increase of pension to John W. Lowell, reported the same with amendment, accompanied by a report (No. 6796); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22055) granting an increase of pension to Maria Lorch, reported the same with amendment, accompanied by a report (No. 6797); 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. 12344) granting an increase of pension to Andrew I. Sproul, reported the same with amendment, accompanied by a report (No. 6798); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23912) granting an increase of pension to James E. Fitzgerald, reported the same with amendment, accompanied by a report (No. 6799); 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. 22093) granting an increase of pension to Lars Isaacson, reported the same with amendment, accompanied by a report (No. 6800); 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. 22169) granting an increase of pension to Cynthia M. Bryson, reported the same with amendment, accompanied by a report (No. 6801); 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. 22199) granting an increase of pension to William Templin, reported the same without amendment, accompanied by a report (No. 6802); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22540) granting an increase of pension to Richard Turnbull, reported the same without amendment, accompanied by a report (No. 6803); 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. 1223) granting a pension to Andrew Jarvis, reported the same with amendment, accompanied by a report (No. 6804); 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. 1377) granting an increase of pension to Thomas G. Dallman, reported the same with amendment, accompanied by a report (No. 6805); 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. 1574) granting an increase of pension to Franklin Sampson, reported the same without amendment, accompanied by a report (No. 6806); 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. 1838) granting an increase of pension to Asa J. Clother, reported the same with amendment, accompanied by a report (No. 6807); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2324) granting a pension to Christina Vetter, reported the same with amendment, accompanied by a report (No. 6808); 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. 2905) granting an increase of pension to Burr Clark, reported the same with amendment, accompanied by a report (No. 6809); 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. 3239) granting an increase of pension to George W. Stewart, reported the same without amendment, accompanied by a report (No. 6810); 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. 4150) granting an increase of pension to John C. McGinis, reported the same with amendment, accompanied by a report (No. 6811); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4553) granting an increase of pension to William R. Wilkins, reported the same with amendment, accompanied by a report (No. 6812); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4757) granting an increase of pension to Edward Willis, reported the same with amendment, accompanied by a report (No. 6813); 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. 12346) granting an increase of pension to Abraham D. Stouffer, reported the same with amendment, accompanied by a report (No. 6814); 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. 5029) granting an increase of pension to Beverly W. Sullivan, reported the same with amendment, accompanied by a report (No. 6815); 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. 5050) granting an increase of pension to Ephraim M. Boltz, reported the same without amendment, accompanied by a report (No. 6816); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5388) for the relief of Silas Garrison, reported the same with amendment, accompanied by a report (No. 6817); 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. 5627) granting an increase of pension to John C. L. Hargis, reported the same with amendment, accompanied by a report (No. 6818); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5926) granting a pension to Sarah Pitman, reported the same with amendment, accompanied by a report (No. 6819); 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. 6237) granting an increase of pension to David Bethusum, reported the same with amendment, accompanied by a report (No. 6820); 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. 7634) granting an increase of pension to Martha G. Matlack, reported the same without amendment, accompanied by a report (No. 6821); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invaid Pensions, to which was referred the bill of the House (H. R. 8682) granting an increase of pension to James P. Bledsoe, reported the same without amendment, accompanied by a report (No. 6822); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8775) granting an increase of pension to Carrie Diefenbach, reported the same with amendment, accompanied by a report (No. 6823); 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. 8785) granting an increase of pension to John Finch, reported the same with amendment, accompanied by a report (No. 6824); 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. 9850) granting an increase of pension to Benjamin F. Williams, reported the same with amendment, accompanied by a report (No. 6825); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11198) granting an increase of pension to E. Sandusky, reported the same with amendment, accompanied by a report (No. 6826); 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. 11401) granting an increase of pension to William Kling, reported the same with amendment, accompanied by a report (No. 6827); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17307) granting an increase of pension to John A. Baker, reported the same with amendment, accompanied by a report (No. 6828); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17394) granting an increase of pension to Albert W. Boggs, reported the same with amendment, accompanied by a report (No. 6829); 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. 17655) granting an increase of pension to Fritz Dettmann, reported the same with amendment, accompanied by a report (No. 6830); 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. 18396) granting an increase of pension to John Nix, reported the same with amendment, accompanied by a report (No. 6831); 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. 18515) granting an increase of pension to Martin Johnson, reported the same with amendment, accompanied by a report (No. 6832); 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. 24101) granting an increase of pension to George W. Ashton, reported the same with amendment, accompanied by a report (No. 6833); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13012) granting an increase of pension to C. L. Cole, reported the same with amendment, accompanied by a report (No. 6834); 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. 17002) granting an increase of pension to Levi Deater, reported the same with amendment, accompanied by a report (No. 6835); 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. 16718) granting an increase of pension to James Miltimore, reported the same with amendment, accompanied by a report (No. 6836); 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. 13810) granting an increase of pension to Abraham J. Simmons, reported the same with amendment, accompanied by a report (No. 6837); 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. 15779) granting a pension to Margaret A. Jordan, reported the same with amendment, accompanied by a report (No. 6838); 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. 16343) granting an increase of pension to Francis D. Matheny, reported the same with amendment, accompanied by a report (No. 6839); 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. 20590) granting an increase of pension to Hannah O. Reynolds, reported the same with amendment, accompanied by a report (No. 6840); 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. 20840) granting a pension to Thomas M. Lord, reported the same with amendment, accompanied by a report (No. 6841); 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. 22283) granting an increase of pension to Stoddard Caswell, reported the same with amendment, accompanied by a report (No. 6842); 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. 23148) granting an increase of pension to Robert Liddell, reported the same with amendment, accompanied by a report (No. 6843); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23175) granting an increase of pension to Henry A. Fuller, reported the same with amendment, accompanied by a report (No. 6844); 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. 23282) granting an increase of pension to John W. Tumey, reported the same with amendment, accompanied by a report (No. 6845); 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. 23313) granting an increase of pension to Benjamin D. Reed, reported the same with amendment, accompanied by a report (No. 6846); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pension, to which was referred the bill of the House (H. R. 23309) granting an increase of pension to Samuel P. Wallis, reported the same without amendment, accompanied by a report (No. 6847); 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. 23626) granting an increase of pension to Richard C. Taylor, reported the same with amendment, accompanied by a report (No. 6848); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23660) granting an increase of pension to Harriet U. Burgess, reported the same with amendment, accompanied by a report (No. 6849); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23682) granting an increase of pension to Joseph R. Bartlett, reported the same with amendment, accompanied by a report (No. 6850); 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. 20588) granting an increase of pension to Nicholas S. Cantine, reported the same without amendment, accompanied by a report (No. 6851); 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. 23323) granting an increase of pension to Robert Foote, reported the same with amendment, accompanied by a report (No. 6852); 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. 23360) granting an increase of pension to Robert Hastie, reported the same with amendment, accompanied by a report (No. 6853); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23443) granting an increase of pension to Louisa R. Matthews, reported the same with amendment, accompanied by a report (No. 6854); 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. 23709) granting an increase of pension to James M. Dick, reported the same with amendment, accompanied by a report (No. 6855); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23763) granting an increase of pension to James Riley, reported the same with amendment, accompanied by a report (No. 6856); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23802) granting an increase of pension to Thomas J. Brown, reported the same with amendment, accompanied by a report (No. 6857); 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. 23806) granting an increase of pension to William F. Barker, reported the same without amendment, accompanied by a report (No. 6858); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23852) granting an increase of pension to James G. Crozer, reported the same with amendment, accompanied by a report (No. 6859); 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. 23860) granting an increase of pension to William G. Cummings, reported the same with amendment, accompanied by a report (No. 6860); 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. 23890) granting an increase of pension to Jacob B. Haslam, reported the same with amendment, accompanied by a report (No. 6861); 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. 23961) granting an increase of pension to Oscar N. Cowell, reported the same with amendment, accompanied by a report (No. 6862); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24037) granting an increase of pension to Theodore Teeple, reported the same

with amendment, accompanied by a report (No. 6863); 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. 24068) granting an increase of pension to John Maginnis, reported the same with amendment, accompanied by a report (No. 6864); 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. 24269) granting an increase of pension to William L. Stewart, reported the same without amendment, accompanied by a report (No. 6865); 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. 24338) granting an increase of pension to James M. Gardner, reported the same with amendment, accompanied by a report (No. 6866); 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. 24343) granting an increase of pension to James M. Haney, reported the same without amendment, accompanied by a report (No. 6867); 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. 24355) granting a pension to Mary O. Learned, reported the same with amendment, accompanied by a report (No. 6868); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24404) granting a pension to Lauraette La Fluer, reported the same with amendment, accompanied by a report (No. 6869); 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. 24419) granting a pension to Belle M. Ocker, reported the same with amendment, accompanied by a report (No. 6870); 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. 24553) granting an increase of pension to Sarah J. Reed, reported the same with amendment, accompanied by a report (No. 6871); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24577) granting an increase of pension to John L. Flannery, reported the same with amendment, accompanied by a report (No. 6872); 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. 24599) granting an increase of pension to Thomas L. Richardson, reported the same with amendment, accompanied by a report (No. 6873); 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. 23150) granting an increase of pension to Samuel H. W. Riter, reported the same with amendment, accompanied by a report (No. 6874); 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. 24635) granting a pension to Elizabeth Stuessi, reported the same with amendment, accompanied by a report (No. 6875); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20959) granting an increase of pension to William G. Dickey, reported the same with amendment, accompanied by a report (No. 6876); 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. 24740) granting an increase of pension to William E. Chase, reported the same with amendment, accompanied by a report (No. 6877); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12240) granting an increase of pension to Albert I. Ackerly, reported the same with amendment, accompanied by a report (No. 6878); 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. 23967) granting an increase of pension to Henry Hill, reported the same with amendment, accompanied by a report (No. 6879); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 23982) granting an increase of pension to Thomas A. Seed, reported the same with amendment, accompanied by a report (No. 6880); 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. 24034) granting an increase of pension to Mary I. Banta, reported the same with amendment, accompanied by a report (No. 6881); 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. 24079) granting an increase of pension to David Jones, reported the same with amendment, accompanied by a report (No. 6882); 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. 24100) granting an increase of pension to Henry W. Wilson, reported the same with amendment, accompanied by a report (No. 6883); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24183) granting an increase of pension to Joseph B. Joyce, reported the same without amendment, accompanied by a report (No. 6884); 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. 24210) granting an increase of pension to George H. Maddox, reported the same with amendment, accompanied by a report (No. 6885); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 24220) granting an increase of pension to William P. Robbe, reported the same with amendment, accompanied by a report (No. 6886); 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. 24225) granting an increase of pension to William Ivans, reported the same with amendment, accompanied by a report (No. 6887); 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. 24294) granting a pension to D. R. Lamoreau, reported the same with amendment, accompanied by a report (No. 6888); 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. 20890) granting an increase of pension to Lafayette Doughty, reported the same without amendment, accompanied by a report (No. 6889); 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. 1242) granting an increase of pension to Luke Reynolds, reported the same with amendment, accompanied by a report (No. 6890); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8503) granting an increase of pension to David C. May, reported the same with amendment, accompanied by a report (No. 6891); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 22294) granting an increase of pension to Perry Lamphere, reported the same with amendment, accompanied by a report (No. 6892); 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. ALLEN of Maine: A bill (H. R. 25030) authorizing the extension of Park place NW.—to the Committee on the District of Columbia.

By Mr. HEPBURN: A bill (H. R. 25031) to regulate commerce in adulterated and misbranded seed and to prevent the sale or transportation thereof, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A bill (H. R. 25032) to amend an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June 7, 1902—to the Committee on the Territories.

Also, a bill (H. R. 25033) providing for two additional circuit judges in the ninth judicial circuit—to the Committee on the Judiciary.

By Mr. BROWNLOW: A bill (H. R. 25034) to change the

time of holding circuit and district courts of the United States for the middle district of Tennessee—to the Committee on the Judiciary.

By Mr. FULLER: A bill (H. R. 25035) in relation to increase of age pensions—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 25036) to regulate embalming in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. MORRELL: A bill (H. R. 25037) to define the duties of the board of education of the District of Columbia, to further reorganize the schools of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. GRAHAM: A bill (H. R. 25038) to amend section 5240 of the Revised Statutes of the United States, in relation to the compensation of national-bank examiners—to the Committee on Banking and Currency.

By Mr. SMITH of Arizona: A bill (H. R. 25039) to enable the city of Phoenix, in Maricopa County, Arizona Territory, to use the proceeds of certain municipal bonds for the purchase of the plant of the Phoenix Water Company and to extend and improve said plant—to the Committee on the Territories.

Also, a bill (H. R. 25040) amending chapter 771 of the Revised Statutes of the United States relating to customs districts of Arizona—to the Committee on Ways and Means.

By Mr. LACEY: A bill (H. R. 25041) to provide for the creation of additional land districts in the district of Alaska—to the Committee on the Public Lands.

By Mr. MURPHY: A bill (H. R. 25042) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMSON: A bill (H. R. 25043) to authorize the Atlanta, Birmingham and Atlantic Railroad Company to construct a bridge across the Chattahoochee River, in the State of Georgia—to the Committee on Interstate and Foreign Commerce.

By Mr. MORRELL: A bill (H. R. 25044) authorizing certain changes in the permanent system of highways in the District of Columbia—to the Committee on the District of Columbia.

By Mr. TALBOTT: A bill (H. R. 25045) to appropriate money for the payment of certain advances made to the United States by the State of Maryland—to the Committee on Claims.

By Mr. CLARK of Missouri: A bill (H. R. 25046) to authorize the construction of a bridge across the Mississippi River at Louisiana, Mo.—to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 25047) creating a tariff commission—to the Committee on Ways and Means.

By Mr. CONNER: A bill (H. R. 25048) for the restoration, reconstruction, and repair of the east front of the Treasury building, Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. GARRETT: A bill (H. R. 25049) to encourage agriculture in the Philippine Islands by providing that the Philippine government may loan to agriculturists in said islands a fund equal in amount to the net seigniorage profit derived by the Philippine government from the recoinage of certain coins—to the Committee on Insular Affairs.

By Mr. JONES of Washington: A bill (H. R. 25050) to regulate practice on appeal to the Supreme Court of the United States and the United States circuit courts of appeal—to the Committee on the Judiciary.

By Mr. DWIGHT: A bill (H. R. 25051) providing and making appropriation for a pneumatic-tube system between the appraiser's warehouse and the new custom-house in New York City—to the Committee on Appropriations.

By Mr. WASKEY: A bill (H. R. 25052) to modify the law pertaining to the acquisition and holding of placer claims in the district of Alaska and providing for the building of wagon roads therein, and for other purposes—to the Committee on the Public Lands.

By Mr. COOPER of Wisconsin: A bill (H. R. 25053) to provide for the establishment of an agricultural bank in the Philippine Islands—to the Committee on Insular Affairs.

By Mr. SMITH of Maryland: A bill (H. R. 25054) to amend an act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia—to the Committee on the District of Columbia.

By Mr. HAUGEN: A bill (H. R. 25055) authorizing the Secretary of the Treasury to acquire additional land for Federal building site at Mason City, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. PATTERSON of South Carolina: A bill (H. R. 25056) to provide for the transfer to the State of South Carolina of certain school funds for use of free schools in the parishes of St. Helena and St. Luke, in said State—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: A bill (H. R. 25057) authorizing a survey to be made of the lands suited to national forest reserve purposes in the Appalachian Mountains within the States of Maryland, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, and Tennessee, and in the White Mountains in the State of New Hampshire, to be known as the Appalachian Forest Reserve and the White Mountain Forest Reserve, respectively—to the Committee on Agriculture.

By Mr. CURTIS: A resolution (H. Res. 796) authorizing the employment of a messenger for duty on the heavy mail wagon—to the Committee on Accounts.

By Mr. OVERSTREET of Indiana: A resolution (H. Res. 797) providing for the printing of 10,000 copies of the report of the Postal Commission, etc.—to the Committee on Printing.

Also, a concurrent resolution (H. C. Res. 50) providing for the printing of 6,000 copies of the report of the Postal Commission, etc.—to the Committee on Printing.

By Mr. RHODES: A resolution (H. Res. 798) to continue the compilation and index of reports of committees from the Forty-ninth to the Fifty-ninth Congress, inclusive—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. BEDE: A bill (H. R. 25058) granting an increase of pension to James Hooker—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 25059) for the relief of Anthony Wasilius—to the Committee on Claims.

By Mr. CAMPBELL of Ohio: A bill (H. R. 25060) granting a pension to Amos Faust—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 25061) granting an increase of pension to Mary Burke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25062) granting an increase of pension to Frances M. Woods—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 25063) granting an increase of pension to Emmett L. Warren, alias Alonson Warren—to the Committee on Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 25064) granting an increase of pension to Harrison Stilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25065) granting an increase of pension to Alexander Hancher—to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 25066) granting an increase of pension to Joseph Cheap—to the Committee on Invalid Pensions.

By Mr. FULKERSON: A bill (H. R. 25067) granting an increase of pension to Henry J. Bomar—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 25068) for the relief of Charles Joseph Francis—to the Committee on Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 25069) granting an increase of pension to William A. Decker—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 25070) granting an increase of pension to John R. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25071) granting an increase of pension to Martha J. Moody—to the Committee on Invalid Pensions.

By Mr. HEFLIN: A bill (H. R. 25072) for the relief of W. N. Gladney—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 25073) granting an increase of pension to Thomas Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25074) granting an increase of pension to Christian Sorensen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25075) granting an increase of pension to Henry Slaymaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25076) granting an increase of pension to James F. Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25077) granting an increase of pension to George French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25078) granting an increase of pension to Joseph Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25079) granting an increase of pension to David Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25080) granting an increase of pension to James Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25081) granting an increase of pension to Michael Denyant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25082) granting an increase of pension to John G. Snook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25083) granting an increase of pension to George Sowerwine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25084) granting an increase of pension to Hosea Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25085) granting an increase of pension to Christopher C. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25086) granting a pension to Joseph Posey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25087) granting an increase of pension to Abraham F. Rouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25088) granting an increase of pension to Charles H. Dow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25089) granting an increase of pension to William Q. Mahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25090) granting an increase of pension to Otis B. Smith—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 25091) granting an increase of pension to Newton A. Ward—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 25092) granting an increase of pension to Charles Myers—to the Committee on Pensions.

Also, a bill (H. R. 25093) granting an increase of pension to Henry R. Klinedinst—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 25094) for the relief of the trustees of the Olive Branch Christian Church, of James City County, Va.—to the Committee on War Claims.

By Mr. LITTLEFIELD: A bill (H. R. 25095) granting an increase of pension to Sarah C. Gilpatrick—to the Committee on Pensions.

Also, a bill (H. R. 25096) granting an increase of pension to Martha Parsons—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 25097) granting an increase of pension to E. P. Weatherby—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 25098) granting an increase of pension to Granville H. Ellis—to the Committee on Invalid Pensions.

By Mr. PATTERSON of South Carolina: A bill (H. R. 25099) for the relief of Great Slakehatchie Baptist Church, of Barnwell County, S. C.—to the Committee on War Claims.

By Mr. REYNOLDS: A bill (H. R. 25100) granting an increase of pension to R. M. Musser—to the Committee on Invalid Pensions.

By Mr. RHODES: A bill (H. R. 25101) granting an increase of pension to Nancy A. Meredith—to the Committee on Pensions.

Also, a bill (H. R. 25102) granting an increase of pension to Daniel Barks—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 25103) granting an increase of pension to James H. Richardson—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 25104) for the relief of the heirs of Lawrence D. Greaves, deceased—to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 25105) for the relief of A. E. Couch—to the Committee on Claims.

By Mr. SMITH of Arizona: A bill (H. R. 25106) granting an increase of pension to Francis A. Biffan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25107) granting an increase of pension to Cornelia H. Keyes—to the Committee on Invalid Pensions.

By Mr. SMITH of California: A bill (H. R. 25108) granting an increase of pension to William H. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25109) granting a pension to Hans F. Hirte—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 25110) to grant an honorable discharge to Orthiel H. Rhodes—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 25111) granting an increase of pension to Joseph Carpenter—to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 25112) granting an increase of pension to William Turner—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 25113) granting an increase of pension to John H. Hays—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 25114) authorizing the Secretary of War to issue an honorable discharge to Joseph Brenise—to the Committee on Military Affairs.

Also, a bill (H. R. 25115) granting a pension to Florence K. Patterson—to the Committee on Pensions.

Also, a bill (H. R. 25116) granting a pension to Emma L. Beatty—to the Committee on Pensions.

By Mr. TAWNEY: A bill (H. R. 25117) granting an increase of pension to Thomas Rich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25118) granting an increase of pension to William A. Hotchkiss—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 25119) granting an increase of pension to Charles P. McGuirsey—to the Committee on Invalid Pensions.

By Mr. WEBBER: A bill (H. R. 25120) granting an increase of pension to Charles B. Spring—to the Committee on Invalid Pensions.

By Mr. WELBORN: A bill (H. R. 25121) granting an increase of pension to Joseph Peltier—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 25022) for the relief of Elizabeth Auerswald—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 24899) granting an increase of pension to Mary Webster Lusk—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 24944) granting an increase of pension to Louis Lamb—Committee on Pensions discharged, and 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 railway employees in various parts of the United States, for bill S. 5133 (the sixteen-hour bill)—to the Committee on Interstate and Foreign Commerce.

Also, petition of St. Louis Typographical Union, No. 8, for a construction of the laws relating to second-class mail matter more favorable to certain publishers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Order of Railway Conductors and Brotherhood of Railway Trainmen of the Boston and Maine system, for enactment of bill S. 5133 (the sixteen-hour bill)—to the Committee on Interstate and Foreign Commerce.

By Mr. ACHESON: Paper to accompany bill for relief of Phillip S. Fletcher—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: Petitions of citizens of Greene, Pa.; Grand Junction, Colo.; Divine, Ky.; Calhoun, Mich.; Grayling, Mich.; Davison, S. Dak.; Montevallo, Ala.; Putnam, Conn.; Decatur, Ill.; Pocahontas, Ark.; Portsmouth, N. H., and Macon, Ala., against bill S. 5221, to restrict the practice of osteopathy in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BEDE: Paper to accompany bill for relief of James Hooker—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: Paper to accompany bill for relief of N. C. Tankersley—to the Committee on War Claims.

By Mr. BONYNGE: Paper to accompany bill for relief of William C. Berlin—to the Committee on War Claims.

By Mr. BROWNLOW: Petition of Allensville Council, No. 133, Junior Order United American Mechanics, favoring restriction of Immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. BURLEIGH: Petition of certain volunteer officers of the United States Navy during the war of the rebellion, asking certain rank and pay—to the Committee on Naval Affairs.

By Mr. BURNETT: Petition of the Central Trades Council of Mobile, Ala., against ship subsidy—to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Petition of the Western Fruit Jobbers' Association, for legislation requiring common carriers to use all safety appliances on rolling stock, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Resolutions of the State board of agriculture of Massachusetts, favoring the suppression of the gypsy an brown-tail moth—to the Committee on Agriculture.

Also, petition of the National Private Commercial School Managers' Association, in favor of a revision of the postal laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of August Harey, against intervention in Kongo affairs—to the Committee on Foreign Affairs.

Also, petition of the National German-American Alliance of

the United States, against enactment of bill S. 4403 with the educational test—to the Committee on Immigration and Naturalization.

By Mr. FOSS: Paper to accompany bill for relief of C. J. Francis—to the Committee on Claims.

By Mr. FULKERSON: Papers to accompany bill granting increase of pension to James M. Bailey—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Illinois Commandery of the Naval and Military Order of the Spanish War, for a ship adequate for the requirements of Illinois Naval Reserve—to the Committee on Naval Affairs.

Also, petition of the Brotherhood of Railway Trainmen, for the bill S. 5133, limiting hours of service, and bill H. R. 9328, to regulate granting of restraining orders—to the Committee on the Judiciary.

Also, petition of A. Parlett Lloyd, against the clause in McCumber bill (S. 976) prohibiting fees to attorneys and claim agents—to the Committee on Pensions.

By Mr. LINDSAY: Petition of Milo B. Stevens & Co., against the clause in McCumber bill (S. 976) prohibiting fees to attorneys and claim agents—to the Committee on Pensions.

By Mr. GRAHAM: Petition of the Merchant Marine League, for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Milo B. Stevens & Co., against adoption of the no-fee provision of service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRONNA: Petition of C. W. Gearcow et al., of Niagara, N. Dak., for amendment of the denaturized alcohol law so as to permit of small distilleries—to the Committee on Ways and Means.

By Mr. GROSVENOR: Petition of the Massachusetts State Board of Trade, for the ship-subsidy bill (S. 529)—to the Committee on the Merchant Marine and Fisheries.

By Mr. HAYES: Paper to accompany bill for relief of Mrs. J. L. Boone—to the Committee on Pensions.

Also, petition of the Trades and Labor Council of Vallejo, Cal., for settlement of international troubles by the Hague Court of Arbitration—to the Committee on Foreign Affairs.

Also, petition of P. R. Pickering et al., against employment of Asiatic cooly labor on the Panama Canal—to the Committee on Foreign Affairs.

By Mr. HENRY of Connecticut: Petition of Robert C. C. Smith, of New Britain, Conn., for the Littlefield-Carmack original-package bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petition of A. G. Spence, John Dillon, L. C. Hulit, J. C. Bryant, S. S. Hinitt, J. E. Hough, and H. L. Duval, all railway conductors, for bill S. 5133 (the sixteen-hour bill)—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Omaha Woman's Club, for investigation relative to the industrial condition of women and children—to the Committee on Immigration and Naturalization.

By Mr. HOWELL of New Jersey: Paper to accompany bill for relief of William Bachtel—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of Mr. H. Barley and 13 residents of San Francisco, against Japanese and Chinese labor on the Panama Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. KELIHER: Petition of Carl J. Horner, Charles A. Hoyle, A. P. Jordan, Stephen Murphy, J. M. Eppenheim, Charles Wesley Ahearn, S. Green, Baldwin Coolidge, the C. F. Corey Studio Company, the Nolman Photo Company, Frank B. Conlin, Odin Frits, Henry H. Pierce, W. H. Partridge, and Luther H. Shattuck, against the proposed amendment to the new copyright law—to the Committee on Patents.

Also, petition of the Boston Council of Jewish Women, against the "low-vitality" or "poor-physique" clause of the immigration bill—to the Committee on Immigration and Naturalization.

Also, petition of the Society of Arts, Massachusetts Institute of Technology, for forest reservation in the White Mountains—to the Committee on Agriculture.

Also, petition of Abraham Rubenstein, Philip Shurdut, the Young Men's Hebrew Association of Boston, Nathan Wanman, Harris Sipperstein, Solomon Sacks, Samuel Model, A. S. Silya, Morris Hurwitz, Julius Yaffe, Alfred T. Hurwitz, Louis Gordon, Samuel Ruttenberg, Philip Rosenthal, the Federation of Jewish Organizations in Masachusetts; Puritan Lodge, I. O. B. A., No. 257; Mitchell Freeman; Grand Lodge, I. O. B. A.; J. J. Silverman, Abram J. Epstein; Pride of Massachusetts Lodge, I. O. B. A.; Carlos Greenberg, David A. Ellis, A. W. Burmen, Arthur Williams, Julius Share, the Federation of Jewish Charities, W. M. Werner, the United Benevolent Society, and J. E. Straus, against the Gardner-Dillingham bill—to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Nebraska: Paper to accompany bill for relief of Beatrice H. Duncan—to the Committee on Invalid Pensions.

By Mr. KINKAID: Petition of the Nebraska house of representatives, for a law to tax incomes—to the Committee on Ways and Means.

By Mr. KNOWLAND: Paper to accompany bill for relief of J. D. Schneider—to the Committee on Military Affairs.

By Mr. LAFEAN: Papers to accompany bills for relief of Henry R. Klinedinst and Charles Meyers—to the Committee on Claims.

By Mr. LAMB: Papers to accompany bill for the relief of the trustees of Olive Branch Christian Church, of James City County, Va.—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of citizens of Maine, for the Littlefield bill against shipping intoxicants into prohibition States—to the Committee on the Judiciary.

By Mr. McCALL: Paper to accompany bill for relief of James T. Flynn—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of E. J. B. Smith—to the Committee on War Claims.

Also, paper to accompany bill for relief of A. J. Berryfield et al., of Bradley, Tenn.—to the Committee on Invalid Pensions.

By Mr. MOORE of Pennsylvania: Petition of the John B. Stetson Company, for an amendment of the denaturized-alcohol law so as to permit of small distilleries—to the Committee on Ways and Means.

By Mr. OVERSTREET of Indiana: Petition of old soldiers of Indianapolis, Ind., for the service-pension bill as passed by the Senate—to the Committee on Invalid Pensions.

By Mr. PEARRE: Petition of the Mail, Hagerstown, Md., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. POLLARD: Petition of the Nebraska legislature, favoring the enactment of an income tax—to the Committee on Ways and Means.

By Mr. REEDER: Petition of the legislature of Kansas, for repeal of the duty on lumber—to the Committee on Ways and Means.

Also, petition of citizens of Wakeeney, Kans., favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. REYNOLDS: Paper to accompany bill for relief of Stacey Hoon—to the Committee on Claims.

Also, papers to accompany bills for relief of Christian Wagner, Elisha B. Foor, Henry Brant, Alexander N. Hart, and John McCune—to the Committee on Invalid Pensions.

By Mr. RHODES: Paper to accompany bill for relief of Daniel Barks—to the Committee on Invalid Pensions.

By Mr. RIORDAN: Petition of E. R. Symbb & Sons, for legislation governing distillation of alcohol—to the Committee on Ways and Means.

By Mr. RUPPERT: Petition of the Chamber of Commerce of New York City, for the artillery reorganization bill—to the Committee on Military Affairs.

Also, petition of the International Seaman's Union of America, against the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the San Francisco Labor Council, against the President's utterances in his message relative to Japanese in said city—to the Committee on Foreign Affairs.

Also, petition of Morris Asinof, against legislation restricting immigration—to the Committee on Immigration and Naturalization.

Also, petition of the National Private Commercial School Managers' Association, for revision of the postal laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of the State board of agriculture of Massachusetts, for an appropriation to stay the gypsy and brown-tail moths—to the Committee on Agriculture.

Also, petition of the National German-American Alliance of the United States, against the immigration bill now in conference—to the Committee on Immigration and Naturalization.

By Mr. SCHNEEBELI: Petition of A. Parlett Lloyd, against adoption of the no-fee provision of the service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Pennsylvania State Camp, Patriotic Order Sons of America, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of the Philadelphia Association of Union ex-Prisoners of War, for a pension law in behalf of ex-Union prisoners—to the Committee on Invalid Pensions.

Also, petition of the Wholesale Liquor Dealers' Association of Pennsylvania, for enactment of bill H. R. 4490—to the Committee on Ways and Means.

By Mr. SMITH of Arizona: Paper to accompany bill for relief of Warren Windham—to the Committee on War Claims.

By Mr. SMITH of California: Petition of citizens of California, for an amendment of Chinese-exclusion laws to prevent conflict between such laws and our treaty with China—to the Committee on Foreign Affairs.

By Mr. STERLING: Petition of L. S. Holderman, for legislation providing for reciprocal demurrage—to the Committee on Interstate and Foreign Commerce.

By Mr. WEBBER: Papers to accompany bill granting an increase of pension to Charles B. Spring, of Elyria, Ohio—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *January 29, 1907.*

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CARTER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

SENATOR FROM KANSAS.

Mr. LONG. Mr. President, I present the credentials of Hon. Charles Curtis, elected by the legislature of Kansas to fill the vacancy caused by the resignation of Senator J. R. Burton.

The VICE-PRESIDENT. The credentials will be read by the Secretary.

The Secretary read the credentials of Charles Curtis, chosen by the legislature of the State of Kansas a Senator from that State for the unexpired term of J. R. Burton, ending March 3, 1907; which were read and ordered to be filed.

Mr. LONG. The Senator-elect is present and ready to take the oath of office.

The VICE-PRESIDENT. The Senator-elect will present himself at the Vice-President's desk and take the oath prescribed by law.

Mr. Curtis was escorted to the Vice-President's desk by Mr. LONG, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

CHIPPEWA INDIAN LANDS IN MINNESOTA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a detailed report of the Director of the Geological Survey on the drainage survey of lands ceded by the Chippewa Indians in the State of Minnesota which remain unsold and are wet, overflowed, or swampy in character, etc.; which, with the accompanying papers and maps, was referred to the Committee on the Public Lands, and ordered to be printed.

OHIO RIVER IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 23d instant, an indorsement by the Chief of Engineers, United States Army, relative to the transmission of the report of the special board authorized under the river and harbor act of 1905 on the Ohio River; which was referred to the Committee on Commerce, and ordered to be printed.

ENROLLMENT OF POTTAWATOMIE INDIANS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting an estimate of appropriation for inclusion in the Indian appropriation bill for expenses incident to making an enrollment of the Pottawatomie Indians of Wisconsin, under the requirement of the act of June 21, 1906, $2,500; which, with the accompanying papers, was referred to the Committee on Indian Affairs, 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. 3702. An act for the relief of the Gurley Memorial Presbyterian Church, of the District of Columbia, and for other purposes;

S. 7028. An act for the relief of the Allis-Chalmers Company, of Milwaukee, Wis.;

S. 7147. An act to amend section 2536 of the Revised Statutes, relative to assistant appraisers at the port of New York, and further defining their powers, duties, and compensation;

S. 7827. An act permitting the building of a railway bridge across the Mississippi River in Morrison County, State of Minnesota; and

S. 8014. An act to authorize The National Safe Deposit, Savings and Trust Company of the District of Columbia, to change its name to that of National Savings and Trust Company.

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

S. 4267. An act to prohibit the sale of intoxicating liquors near the Government Hospital for the Insane and the Home for the Aged and Infirm;

S. 5698. An act to regulate the practice of veterinary medicine in the District of Columbia;

S. 6338. An act to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington;"

S. 6470. An act in relation to the Washington Market Company; and

S. 7170. An act 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.'"

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9577) for the relief of Charles H. Stockley.

The message also announced that the House had agreed to the amendments of the Senate to the amendments of the House to the joint resolution (S. R. 86) granting an extension of time to certain homestead entrymen.

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

H. R. 129. An act for the opening of a connecting parkway along Piney Branch between Sixteenth street and Rock Creek Park, District of Columbia;

H. R. 9326. An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;

H. R. 12690. An act to define the term of "registered nurse" and to provide for the registration of nurses in the District of Columbia;

H. R. 14897. An act to protect the streets of the city of Washington;

H. R. 17212. An act to amend an act to incorporate the Supreme Lodge of the Knights of Pythias;

H. R. 21684. An act to amend section 2 of an act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 21, 1906;

H. R. 22350. An act to authorize the recorder of deeds of the District of Columbia to recopy old records in his office, and for other purposes;

H. R. 23384. An act to amend an act entitled "An act to amend an act entitled 'An act to establish a code of law for the District of Columbia,' regulating proceedings for condemnation of land for streets;"

H. R. 23830. An act governing the maintenance of stock yards, slaughterhouses, and packing houses in the District of Columbia;

H. R. 23940. An act for the extension of Albemarle street NW., District of Columbia;

H. R. 23941. An act to amend section 14 of the act approved July 29, 1892, entitled "An act for the preservation of the public peace and the protection of property within the District of Columbia;"

H. R. 24746. An act for free lectures;

H. R. 24932. An act for the extension of School street NW.;

H. R. 25013. An act granting to the regents of the University of Oklahoma section No. 36, in township No. 9 north, of range No. 3 west, of the Indian meridian, in Cleveland County, Okla.; and

H. J. Res. 231. Joint resolution authorizing the Secretary of War to sell certain hay, straw, and grain at Fort Assiniboine.

The message further announced that the House insists upon its amendments to the bill (S. 6364) to incorporate the National Child Labor Committee, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. TAYLOR of Ohio, Mr. SAMUEL W. SMITH, and Mr. SIMS managers at the conference on the part of the House.

The message also announced that the House had passed a concurrent resolution providing for the printing of 6,000 copies of the report of the Postal Commission appointed under the provisions of the act making appropriations for the service of the Post-Office Department, approved June 26, 1906, in which it requested the concurrence of the Senate.