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

RIANZO M. NORTON.

The bill (H. R. 20963) granting an increase of pension to Rianzo M. Norton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rianzo M. Norton, late of Company L, Thirty-first Regiment Maine Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

GEORGE W. ROTHROCK.

The bill (H. R. 20972) granting an increase of pension to George W. Rothrock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Rothrock, late of Company D, Thirteenth Regiment Indiana Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

JOHN H. SIMMONS.

The bill (H. R. 20999) granting an increase of pension to John H. Simmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Simmons, late of Company E, Sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

LUCY A. GAYLORD.

The bill (H. R. 21038) granting a pension to Lucy A. Gaylord was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucy A. Gaylord, widow of William E. H. Gaylord, late of Company C, Fifty-fifth Regiment Illinois Volunteer Infantry, and to pay her a pension of $8 per month.

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

ELLA C. WASHBURN.

The bill (H. R. 21040) granting an increase of pension to Ella C. Washburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella C. Washburn, widow of Charles A. Washburn, late of Company G, First Regiment Maine Volunteer Cavalry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

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

EDMUND A. LOCKER.

The bill (H. R. 21052) granting an increase of pension to Edmund A. Locker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edmund A. Locker, late of Company E, One hundredth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

ARCHIBALD BATES.

The bill (H. R. 21055) granting an increase of pension to Archibald Bates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Archibald Bates, late of Company G, Fourteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

MICHAEL HARMAN.

The bill (H. R. 21073) granting an increase of pension to Michael Harman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Harman, late of Company C, Twenty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

ANTHONY PATTERSON.

The bill (H. R. 21085) granting an increase of pension to Anthony Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anthony Patterson, late of Company K, Forty-eighth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

MARGARET M'NALLY.

The bill (H. R. 21130) granting a pension to Margaret McNally was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret McNally, widow of Michael McNally, late boilermaker U. S. S. *Machias*, United States Navy, and to pay her a pension of $12 per month.

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

CORNELIUS SHEA.

The bill (H. R. 21131) granting an increase of pension to Cornelius Shea was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cornelius Shea, late of Company B, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

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

GEORGE E. CASTOR, ALIAS GEORGE E. CUSTER.

The bill (H. R. 21141) granting an increase of pension to George E. Castor, alias George E. Custer, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George E. Castor, alias George E. Custer, late of Company E, Tenth Regiment Maryland Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

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

DAVID C. HAYNES, DECEASED.

The bill (H. R. 9298) for the relief of the heirs at law of David C. Haynes, deceased, was considered as in Committee of the Whole. It proposes to pay $1,012.50 to the heirs at law of David C. Haynes, a deceased contractor, for services rendered by him in transporting the United States mails in the State of Texas prior and up to the 1st day of June, 1861.

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

RICHMOND LOCOMOTIVE WORKS.

The bill (S. 8430) for the relief of the Richmond Locomotive Works, successor of the Richmond Locomotive and Machine Works, was considered as in Committee of the Whole. It directs the Secretary of the Navy to examine the claim of the Richmond Locomotive Works, successor of the Richmond Locomotive and Machine Works, for the payment of $10,490.96, alleged to be due for damages and losses incurred in the construction of the machinery of the armored battle ship *Texas*.

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

SALE OF LANDS TO BUFFALO, WYO.

The bill (H. R. 23324) authorizing the sale of certain lands to the city of Buffalo, Wyo., was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to sell to the city of Buffalo, Johnson County, Wyo., for $1.25 an acre, certain lands for use as a public park and fair grounds.

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

The VICE-PRESIDENT. This concludes the Calendar. What is the further pleasure of the Senate?

Mr. McCUMBER. I move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 57 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 20, 1907, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 19, 1907.*

The House met at 11 o'clock a. m.

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

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

RIGHT OF WAY OVER FOREST RESERVES.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25124) amending section 2477 of the Revised Statutes of the United States.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2477 of the Revised Statutes of the United States be amended to read as follows:

"SEC. 2477. The right of way for the construction of highways over

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public lands and lands included in forest reserves, not otherwise reserved for public uses, is hereby granted."

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this is a general bill?

Mr. JONES of Washington. It is. It is to amend section 2477 of the Revised Statutes relating to right of way for highways. The law was passed in 1866, before we had forest reserves, so that that law is not applicable to forest reserves. If a county wants to build a road over a forest reserve they have to come here and ask for permission, and the purpose of this bill is simply to make that law apply to forest reserves just the same as it applies to public lands. The Commissioner of the Land Office states:

At the date of the statute embraced in said revised section (July 26, 1866) there were no forest reserves, and the law as it now exists is not applicable to them. The highways provided for will be constructed under the local State laws and regulations, will be of benefit to the officers having charge of the reserves as well as to settlers and other citizens, and I see no objection to the passage of the bill.

Mr. CLARK of Missouri. Who is it that grants this permission?

Mr. JONES of Washington. The statute itself.

Mr. CLARK of Missouri. The statute can not enforce itself.

Mr. JONES of Washington. The local authority, of course, will build the road the same as they do over public lands now.

Mr. CLARK of Missouri. What committee does this come from?

Mr. JONES of Washington. The Public Lands Committee, and it has the unanimous report of that committee.

Mr. PAYNE. I would like to ask the gentleman who gets the timber?

Mr. JONES of Washington. The timber is cut off and thrown to one side, I suppose, or used in the building of bridges, culverts, embankments, etc.

Mr. PAYNE. What is there to prevent the running of highways in all directions over forest reserves in order to get the timber?

Mr. JONES of Washington. The county authorities do not have money enough to run many highways over forest reserves. They are usually restricted in their means. Furthermore, there never was any disposition to do this over the public lands and there is no danger of it now. These roads are put in by public money and no officer would think of following the course suggested. The gentleman surely does not make this suggestion seriously.

Mr. FITZGERALD. Has this been referred to the forestry division?

Mr. JONES of Washington. Yes; and they say that the law is sufficient; they ask that a provision be put in that it shall be subject to the rules and regulations of the forestry division or department. The Committee on Public Lands was opposed to that proposition.

Mr. PAYNE. Is there any provision in the bill that some Government official shall first give permission?

Mr. JONES of Washington. There is not, the purpose of the bill is to avoid anything of that kind.

Mr. PAYNE. I think, Mr. Speaker, I must object.

BRIDGES OVER CUMBERLAND RIVER NEAR NASHVILLE, TENN.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8274) to amend an act to authorize the construction of two bridges across the Cumberland River at or near Nashville, Tenn.

The Clerk read the bill, as follows:

Be it enacted, etc., That an act entitled "An act to authorize the construction of two bridges across the Cumberland River at or near Nashville, Tenn.," approved April 24, 1906, be so amended as to extend the time for commencing the construction of said bridges one year, and for completing the same three years, from April 24, 1907.

The SPEAKER. Is there objection?

There was no objection.

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

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

GRANT OF LANDS TO BOULDER, COLO.

Mr. BONYNGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 22599) to grant certain lands to the city of Boulder, Colo.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following-described tracts of land, situate in the county of Boulder, Colo., namely, all of the north half of the southeast quarter of section 18, all of the southwest quarter of the southeast quarter of section 18, all of the north half of the southwest quarter of section 18, and all of the south half of the northwest quarter of section 18; all of the north half of the northeast quarter of section 19, all of the southeast quarter of the southeast quarter of section 19, and all of the north half of the southwest quarter of section 19; all of the west half of the northwest quarter of section 20 and all of the northwest quarter of the southwest quarter of section 20; all of the southwest quarter of the southeast quarter of section 21; all of the southeast quarter of the southwest quarter of section 21 and all of the northwest quarter of the southwest quarter of section 21; all of the northeast quarter of section 28, all of the southeast quarter of section 28, and all of the northeast quarter of the northwest quarter of section 28; all of the north half of the northwest quarter of section 29 and all of the northwest quarter of the northeast quarter of section 29; all of the north half of the northeast quarter of section 30 and all of the northwest quarter of the northwest quarter of section 30; all in township 1 north, range 73 west of the sixth parallel meridian; also all of the southeast quarter of section 24 and all of the north half of the northeast quarter of section 25, in township 1 north, range 74 west of the sixth parallel meridian; containing 1,560 acres of land, more or less, be, and the same is hereby, granted and conveyed to the city of Boulder, in the county of Boulder and State of Colorado, upon the payment of $1.25 per acre by said city to the United States, to have and to hold said lands to its use and behoof forever for purposes of water storage and supply of its waterworks; and for said purposes said city shall forever have the right, in its discretion, to control and use any and all parts of the premises herein conveyed, and in the construction of reservoirs, laying such pipes and mains, and in making such improvements as may be necessary to utilize the water contained in any natural or constructed reservoirs upon said premises: *Provided, however*, That the grant hereby made is, and the patent issued hereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States.

The Clerk read the amendments recommended by the committee, as follows:

Amend said bill, on page 1, in line 6, by striking out the words "the southwest quarter of the southeast quarter" and inserting in lieu thereof the words "lots 6 and 10."

On page 1, line 7, strike out the words "the north half" and insert in lieu thereof the words "lot 3 of section 18, all of the northeast quarter."

On page 1, line 8, after the word "eighteen," insert the words "all of lot 2 of section 18;" and in the same line, strike out the words "south half" and insert in lieu thereof the words "southeast quarter."

On page 1, line 9, strike out the word "northeast" occurring as the last word in said line and insert in lieu thereof the word "southeast."

On page 1, line 11, after the word "nineteen," insert the words "all of lot 3 of section 19."

On page 1, line 12, strike out the words "north half" and insert in lieu thereof the words "northeast quarter."

On page 1, line 13, strike out the words "the west half" and insert in lieu thereof the words "lot 2 of section 20, all of the southwest quarter."

On page 2, lines 10 and 11, strike out the words "the northwest quarter of the northwest quarter" and insert in lieu thereof the words "lot 1."

On page 2, line 13, strike out the word "parallel" and insert in lieu thereof the word "principal."

On page 2, line 16, strike out the word "parallel" and insert in lieu thereof the word "principal."

On page 2, line 17, strike out the word "sixty" and insert in lieu thereof the words "fifty-seven and eighty-seven one-hundredths."

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman what is the character of this land?

Mr. BONYNGE. This is land in a canyon where the city of Boulder gets its water supply, and the purpose of the bill is to give control of the land to prevent pollution of the water.

Mr. FINLEY. What is similar land worth in that community?

Mr. BONYNGE. I do not know that it has any value. We are paying under this the minimum price, $1.25 per acre. The bill has the unanimous report of the Committee on Public Lands, has been referred to the Department, and has the approval of the Department.

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

The amendments were agreed to.

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

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

BRIDGE ACROSS ALLEGHENY RIVER IN ARMSTRONG COUNTY, PA.

Mr. SMITH of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25627) to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Armstrong, in the State of Pennsylvania, a municipal corporation under the laws of Pennsylvania, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Allegheny River, from a point on the Bonnett road, near a derrick erected by the Pittsburg Plate Glass Company, in North Buffalo Township, Armstrong County, Pa., to a point on the public road leading from Rosston to Kittanning, near the old landing of Midway Ferry, in the borough of Ford City, in said county and State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

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

DAM ACROSS COOSA RIVER, ALABAMA.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 25694) permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Alabama Power Company, a corporation organized under the laws of the State of Alabama, its successors and assigns, to build a dam, of such height as the Chief of Engineers and the Secretary of War may approve, across the Coosa River, in Alabama, at the place selected for the location of Lock and Dam No. 12 on said river, as located in the survey made by the engineers of the United States of the Coosa and Alabama rivers in Georgia and Alabama, in compliance with the requirements of the river and harbor act approved June 13, 1902, for the development of water power, and such works and structures in connection therewith as may be necessary or convenient in the development of said power and in the utilization of the power thereby developed: *Provided*, That plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *Provided further*, That the Alabama Power Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modification of said plans shall have previously been submitted to and received the approval of the Chief of Engineers and the Secretary of War: *Provided further*, That said dam and appurtenant works shall be limited to the use of the surplus water only of the river not required for the navigation of the Coosa River, and that no structure shall be built and no operations conducted under the provisions of this act which shall at any time injure or interfere with the navigation of said river or impair the usefulness of any improvement by the Government in the interest of navigation.

SEC. 2. That the said dam shall be so constructed, including a proper forebay, that the Government of the United States may at any time construct in connection therewith a suitable lock or locks for navigation purposes, and may at any time, without compensation, control the said dam or other structures and the level of the pool caused by such dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of such dam as may be necessary in the interest of navigation: *Provided*, That the Alabama Power Company, its successors or assigns, shall furnish the necessary electric current, while its power plant is in operation, to move the gates and operate the locks in connection with said dam and to light the United States buildings and grounds free of cost to the United States: *Provided further*, That the Alabama Power Company, its successors or assigns, is hereby granted the right to use any lands which may belong to the United States of America and necessary for the construction and maintenance of said dam and appurtenant works, or which may be inundated with water by reason of the construction of said dam and appurtenant works, and in consideration therefor the said company, its successors or assigns, shall, upon request of the Chief of Engineers and the Secretary of War, convey free of cost to the United States of America such suitable tract of tracts of land as may be selected by the Chief of Engineers and the Secretary of War for the establishment of such lock or locks and approaches and other purposes as the needs of navigation may require.

SEC. 3. That the said company, its successors or assigns, shall be liable for any damage to private property resulting from the construction and operation of said dam and appurtenant works, either by overflow or otherwise, and proceedings to adjust, determine, and to recover compensation for such damages shall be instituted either in the State or Federal courts: *Provided*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers or to exempt said structures from the operation of the same.

SEC. 4. That the said company, its successors or assigns, owning or operating any such dam shall maintain at its own expense such lights and other signals thereon and such fishways as the Secretary of Commerce and Labor shall prescribe.

SEC. 5. That Congress reserves the right to revoke the rights and privileges conferred by this act, but in the event of such revocation the United States shall pay to the contracting party as full compensation the reasonable value, exclusive of any franchise that may be acquired under this act, of any dam and of all properties erected and lands purchased by them necessary for the use and enjoyment of the benefits hereby conferred, such value to be determined by mutual agreement between the Secretary of War and the owners of said properties, and in case they can not agree then by proceedings in condemnation, to be instituted in the proper United States courts: *Provided*, That the Secretary of War may, in his discretion, at any time after commencement of the work, require from said company or its successors or assigns a bond, with sufficient sureties, in any sum not exceeding $50,000, for the faithful performance of the several provisions of this act.

SEC. 6. That this act shall be null and void unless the dam herein authorized be commenced within five years and completed within ten years from the time of the passage of this act.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask what committee reported this bill?

Mr. BURNETT. The Committee on Rivers and Harbors. The bill was called to the attention of the gentleman on yesterday. It was first improperly referred to the Committee on Interstate and Foreign Commerce and then referred to the Committee on Rivers and Harbors, and it comes in with the unanimous report from the committee and has the recommendation of the Chief of Engineers, War Department.

Mr. MANN. It is in violation of every principle that has been adopted by the Committee on Interstate and Foreign Commerce in recommending the passage of these dam bills. It makes no reference whatever to the general dam act, to which we require all dam acts to conform.

Mr. BURNETT. I hope the gentleman will make no objection. This bill is well guarded and is recommended by the Chief of Engineers, War Department, and was considered very carefully by the subcommittee and then by the full Committee on Rivers and Harbors.

Mr. MANN. I had understood it was a mere matter of a dam in connection with a lock constructed by the Government. I am not willing to say we require one thing in a committee that has proper jurisdiction and consent that another committee shall report a different kind of bill, unless at least we have examined it. Let us have time to look at it. Temporarily, Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

BOULEVARD THROUGH THE MILITARY RESERVATION OF FORT DOUGLAS, UTAH.

Mr. HOWELL of Utah. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 8362) to authorize the city council of Salt Lake City, Utah, to construct and maintain a boulevard through the military reservation of Fort Douglas, Utah.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War is hereby empowered to authorize the city council of Salt Lake City, Utah, to construct and maintain a boulevard through the military reservation of Fort Douglas, Utah, upon such location and of such width and upon such plans and subject to such conditions as he may deem proper for the protection of the interests of the United States.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, does this entail any charge upon the United States Government in the way of expense?

Mr. HOWELL of Utah. Not a dollar.

Mr. CLARK of Missouri. Does the Department recommend it?

Mr. HOWELL of Utah. It has the approval of the commander of the fort and the War Department. The bill is drafted in accordance with the directions of the Secretary of War.

Mr. CLARK of Missouri. How near is the reservation to this town?

Mr. HOWELL of Utah. The reservation adjoins the city of Salt Lake.

Mr. CLARK of Missouri. Does it vest its title in the town or simply does it give an easement?

Mr. HOWELL of Utah. It simply authorizes the Secretary of War to grant permission for the construction of this boulevard upon such plans and conditions as he may deem necessary to protect the interests of the United States.

The SPEAKER. The Chair hears no objection.

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

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

ALLOTMENT OF LANDS IN SEVERALTY TO INDIANS.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 25570) to amend an act approved May 8, 1906, entitled "An act to amend section 6 of the act approved February 8, 1887, entitled 'An act 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 the Territories over the Indians, and for other purposes.'"

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act of May 8, 1906 (34 Stat. L., 182, 183), entitled "An act to amend section 6 of an act approved February 8, 1887, entitled 'An act 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 the Territories over the Indians, and for other purposes,'" be, and the same is hereby, amended by inserting the words "of the Five Civilized Tribes" between the word "Indians" and the word "in" in the last line of the third proviso; so that this proviso shall read:

"*And provided further*, That the provisions of this act shall not extend to any Indians of the Five Civilized Tribes in the Indian Territory."

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to know what the bill is?

Mr. BURKE of South Dakota. This bill proposes to amend a law that was passed at the last session of this Congress so that the law will read exactly as it passed the House. We passed a bill last year with a proviso that it should not apply to the Five Civilized Tribes, and the bill went to the Senate, and the Senate amended it by changing the proviso so that it should not apply to the Indians in the Indian Territory. All that this bill does is to put the law into the shape that the bill was in when it passed the House last year.

Mr. CLARK of Missouri. Did that bill finally become a law?

Mr. BURKE of South Dakota. That bill became a law.

Mr. CLARK of Missouri. What is the reason it did not fix it then?

Mr. BURKE of South Dakota. If the gentleman desires me to do so, I will read briefly what the Commissioner says in regard to it. This is a bill that the Department asks for and the Commissioner of Indian Affairs has written me concerning it as follows:

The explanation of the need of such an amendment is as follows: When your bill was on its passage somebody concerned in dissociating the Indians of the Five Civilized Tribes of Indian Territory from any connection with your plan for disposing of allotments through administrative action procured the insertion of an exception to this effect: "*And provided further*, That the provisions of this act shall not extend to any Indians in the Indian Territory." Everybody seems to have forgotten for the moment that there is one other agency in Indian Territory besides that which has jurisdiction of the Five Civilized Tribes. We know it as the Quapaw Agency, under which are grouped fragments of the Peoria, Ottawa, Quaqaw, Modoc, Seneca, Eastern Shawnee, Miami, and Wyandotte tribes, numbering in the aggregate about 1,600 souls. These Indians are in a different situation generally and at a different stage of development from the Five Civilized Tribes, and belong to the same group as other reservation Indians scattered throughout the country. They should have the same treatment as regards their allotments. A considerable number of them are now entirely fit to be set free; a much larger number are not. By the "provided further" which I have quoted above these people can not be reached, when they are deserving of emancipation, except by special individual legislation. The passage of this bill would limit the operation of the proviso to the Five Civilized Tribes, and thereby leave us in administrative control of the Indians under the Quapaw Agency just as we are of the Kiowas and the Sioux and all the rest.

Mr. STEPHENS of Texas. If the gentleman will permit me to suggest, I will state that this reservation is up next to Kansas and Missouri, in the northwestern portion of the Indian Territory, and it was presumed at the time this bill was in the Senate that there were no Indians in the Territory save the Five Civilized Tribes.

Mr. CLARK of Missouri. Is that the Miami tribe of Indians?

Mr. STEPHENS of Texas. That is one of them. There were several grouped under the Quapaw Agency, and they were cut out under the provisions of the bill, and it should be extended to them. This is to cure a defect in the original bill.

The SPEAKER. Is there objection?

There was no objection.

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

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

The title was amended to read as follows:

A bill to amend an act approved May 8, 1906, entitled "An act to amend section 6 of the act approved February 8, 1887, entitled 'An act 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 the Territories over the Indians, and for other purposes.'"

BOAT FOR MIDSHIPMEN.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 7372) to authorize the acceptance by the Secretary of the Navy, as a gift, of a sailboat for use of midshipmen at the Naval Academy.

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to accept as a gift, from a member of the family of the late Assistant Naval Constructor Joseph E. McDonald, a sailboat for the use of the midshipmen at the Naval Academy.

The SPEAKER. Is there objection?

There was no objection.

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

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

SARAH R. HARRINGTON.

Mr. LOUDENSLAGER. Mr. Speaker, I desire to call up a conference report on the bill H. R. 21579, and ask that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 21579) granting an increase of pension to Sarah R. Harrington, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-five dollars."

H. C. LOUDENSLAGER,
WM. H. DRAPER,
WILLIAM RICHARDSON,
Managers on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
JAS. P. TALIAFERRO,
Managers on the part of the Senate.

The Clerk read as follows:

STATEMENT.

This bill originally passed the House at $25 per month, but was amended in the Senate to $50 per month. The result of the conference is that the House recede from its disagreement to the amendment of the Senate at $50 per month, and the conferees have agreed to a rating of $35 per month; and your conferees recommend that the bill pass at $35 per month, in accordance with said agreement.

H. C. LOUDENSLAGER,
WM. H. DRAPER,
WILLIAM RICHARDSON,
Managers on the part of the House.

Mr. LOUDENSLAGER. Mr. Speaker, I move the adoption of the report.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman a question. What kind of a pension bill is this?

Mr. LOUDENSLAGER. It is for the widow of Commander Harrington, of the Navy.

Mr. CLARK of Missouri. You never got a $30-a-month bill for the Mexican veterans out of that committee yet?

Mr. LOUDENSLAGER. Yes; we have, begging the gentleman's pardon.

Mr. FINLEY. One at $45.

Mr. CLARK of Missouri. No; I mean a general bill.

Mr. LOUDENSLAGER. No; we have not.

The SPEAKER. The question is on agreeing to the conference report.

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

UNIVERSITY OF OKLAHOMA.

The SPEAKER laid before the House the bill (H. R. 25013) entitled "An act granting to the regents of the University of Oklahoma section No. 36, township No. 9 north, of range No. 3 west, of the Indian meridian, in Cleveland County, Okla.," with a Senate amendment.

The Senate amendment was read.

Mr. McGUIRE. Mr. Speaker, I move to concur in the Senate amendment.

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

JAMES H. DAVIS.

The SPEAKER laid before the House the bill (H. R. 9841) entitled "An act to correct the military record of James H. Davis," with Senate amendment.

The Senate amendment was read.

Mr. EDWARDS. Mr. Speaker, I move to concur in the Senate amendment.

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

PHOENIX WATER COMPANY, PHOENIX, ARIZ.

Mr. SMITH of Arizona. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 25039.

The bill was read, as follows:

A bill (H. R. 25039) to enable the city of Phoenix, in Maricopa County, Ariz., 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.

Be it enacted, etc., That the contract entered into by and between the common council of the city of Phoenix, county of Maricopa, Territory of Arizona, and the Phoenix Water Company, a corporation doing business in and about the said city of Phoenix, Ariz., of date January 15, 1907, for the purchase of the water plant of the said Phoenix Water Company for the sum of $90,000 in cash and the assumption of $60,000

of first-mortgage bonds be, and the same is hereby, validated, ratified, and confirmed, and the said common council of the city of Phoenix is hereby authorized to proceed under said contract to purchase the said water plant described and specified in said contract, and is hereby authorized to use the money arising from the sale of the $300,000 waterworks bonds heretofore authorized by the Congress of the United States and mentioned in said contract, for the purpose of purchasing the said property and carrying out the provisions of the said contract, and for the further purpose of paying the said $60,000 assumed thereunder and of improving, extending, enlarging, repairing, and rebuilding said water system.

SEC. 2. That this act shall be in force and take effect from and after its passage.

SEC. 3. That all acts and parts of acts in conflict with the provisions of this act in so far as they affect this act are hereby repealed.

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

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

GRANT OF CERTAIN LANDS TO COLORADO.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 24134.

The bill was read, as follows:

A bill (H. R. 24134) providing for the granting and patenting to the State of Colorado, free of price, desert lands formerly in the Ute Indian Reservation in Colorado.

Be it enacted, etc., That the provisions of section 4 of "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894, and the acts amendatory thereof, approved June 11, 1896, and March 3, 1901, respectively, be, and are hereby, extended over and shall apply to the desert lands included within the limits of the former Ute Indian Reservation in Colorado not included in any forest reservation, in addition to the provisions of existing laws relating to homestead entries and cash entries thereon, and that the State of Colorado may make application for the segregation of said desert lands under said section, and the United States thereupon shall donate, grant, and patent to the State of Colorado, free of price or cost of survey, such desert lands upon the State of Colorado complying with the provisions of said section 4, approved August 18, 1894, and the acts amendatory thereof.

SEC. 2. That all sums of money that may be lost to the Ute Indian fund by reason of the passage of this act shall be paid into the fund by the United States, to be held by the Secretary of the Interior for the use and benefit of the Ute Indians.

SEC. 3. That no lands shall be included in any tract to be segregated under the provisions of this act on which the United States Government has valuable improvements or which have been reserved for Indian schools or farm purposes.

The amendments recommended by the committee were read, as follows:

Amend the title by inserting the word "Southern" before the word "Ute," in line 2 of the title.

Section 1, line 12, amend by inserting before the word "Ute" the word "Southern."

Strike out section 2.

Renumber section 3 as section 2.

Mr. FITZGERALD. Reserving the right to object, I would like some explanation of the bill.

Mr. MONDELL. Mr. Speaker, I wish to call attention to the fact that the bill as printed does not contain the proviso recommended by the committee. I wish to move to amend by inserting in the print of the bill the proviso recommended by the committee in its report.

The SPEAKER. Without objection, that amendment will be read.

The Clerk read as follows:

Amend section 1 by striking out all after the word "reservation," in line 13, page 1, and insert the following:

"*Provided*, That before a patent shall issue for any of the lands aforesaid under the terms of the said act approved August 18, 1894, and amendments thereto, the State of Colorado shall pay into the Treasury of the United States the sum of $1.25 per acre for the lands so patented, and the money so paid shall be subject to the provisions of section 3 of the act of June 15, 1880, entitled 'An act to accept and ratify the agreements submitted by the confederated bands of Ute Indians in Colorado for the sale of their reservation in said State, and for other purposes, and to make the necessary appropriation for carrying out same.'"

Mr. MONDELL. I move also to amend the title by striking out the words "free of price."

Mr. FITZGERALD. Reserving the right to object, I would like to inquire what this bill does?

Mr. MONDELL. I call this bill up for the gentleman from Colorado [Mr. BROOKS], who is necessarily absent for a moment. This bill relates to some lands in the Southern Ute Indian Reservation in Colorado. Some time between 1880 and 1890 these lands were opened to settlement under various land laws, with a provision that the settler should pay $1.25 an acre. Later a bill was passed granting the settler under the homestead laws these lands without any payment. Some two years ago the State of Colorado attempted to provide for the irrigation of these lands, which had not been settled, under what is known as the "Carey Act," and made application for segregation under that act, but the Land Office held that the lands were not subject to segregation under the Carey Act.

This bill proposes to make this land subject to segregation under the Carey Act, and provides that the State of Colorado shall pay the regular desert-land price for the same. The gentleman understands that the Carey Act is a law under which the State obligates itself for the irrigation, reclamation, and settlement of desert land, and the patents ultimately go to those who irrigate, reclaim, and settle. The bill meets the objections of the Department in its present form. The Commissioner of Indian Affairs objected to it in its original form, because that did not provide for payment to the Indians. Now, as a matter of fact, the Government would not receive any money for these lands if they were settled under the homestead law, but would be obligated to pay the Indians $1.25 per acre. The committee was of the opinion that if the land was to be made subject to the Carey Act it would be wise to provide for payment as suggested by the Commissioner, and hence we provide for that in the amendment which has been read.

Mr. FITZGERALD. I desire to inquire if this land was paid for by the United States when it took it from the Indians?

Mr. MONDELL. The original provision of the law was that the settler should pay, and as to those lands that were taken under the homestead law, it was later provided the settler should have his land free, and the Government was to pay the Indians $1.25 an acre. That is the present condition of these lands. If they are settled under the homestead law the Government would be obligated to the Indians to pay $1.25 and the settler would pay nothing. Under the proposed law these lands, for such portion as are to be turned over to the State, for such portion as can be irrigated under the Carey Act, the State is to pay the Government, for the benefit of the Indians, the sum of $1.25 an acre.

Mr. STEPHENS of Texas. Was this bill reported from the Committee on Public Lands?

Mr. MONDELL. It was reported from the Committee on Public Lands.

Mr. STEPHENS of Texas. This is not the Hogg bill, to buy lands from the Indians?

Mr. MONDELL. These are public lands, and the purpose is to authorize the sale of them. There is an obligation on the part of the Government when the lands are disposed of to pay the Indians. Now, the object of the legislation is to provide that the State of Colorado shall take upon itself the obligation to pay for such lands as are irrigated.

Mr. STEPHENS of Texas. Are the payments to be made to the treasury of Colorado or to the Treasury of the United States?

Mr. MONDELL. The State of Colorado is to pay into the Treasury of the United States and make its own arrangement with the settlers.

Mr. STEPHENS of Texas. What authority have we to compel the State to make an agreement?

Mr. MONDELL. We compel nothing; we permit. The State of Colorado pays under the Carey Act if they accept these lands.

Mr. STEPHENS of Texas. But the gentleman must know that the State must be obligated by the legislature of the State.

Mr. MONDELL. The State does not receive these lands until these matters have been provided for by the State.

Mr. STEPHENS of Texas. This, then, is only a proposition on the part of Congress to the State of Colorado, as I understand?

Mr. MONDELL. Only a proposition on the part of Congress to the State.

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

Mr. MONDELL. I will.

Mr. WALDO. I should like to know whether any provision is made here for the reservation of coal and mineral lands to the United States?

Mr. MONDELL. There is no reservation, more than there has been in any law that has been passed by the American Congress. These lands are examined by a special inspector of the Interior Department before they are turned over to the State. A personal examination of the ground is made, and the lands must of course be nonmineral lands or they can not be turned over to the State under the law.

Mr. BROOKS of Colorado. Will the gentleman pardon a suggestion?

Mr. MONDELL. Certainly.

Mr. BROOKS of Colorado. I should like also to call the attention of the gentleman from New York [Mr. FITZGERALD] to the fact that the original act, to which this relates, is limited by its terms to nonmineral, nonforested, agricultural desert lands, which are subject to a dual examination, one by the Government and one by the State.

Mr. WALDO. In case it should subsequently develop that these are mineral lands, will the lands then belong to the State or its patentees, or do they return to the United States?

Mr. MONDELL. Mr. Speaker, it has been the rule of this Government from its foundation down to the present time, and there has been no exception to it at any time, that after lands obtained in good faith are patented they are the property of the patentee, together with all that the lands contain. There has never been any exception to that; but these lands are examined and they must be nonmineral, nontimbered, and desert in character, so far is it is possible for an examination to develop those facts, or they can not go under the grant.

Mr. WALDO. How many acres are there?

Mr. MONDELL. Probably about 15,000 would be affected by this law.

The SPEAKER. Is there objection?

There was no objection.

The amendment of Mr. MONDELL was agreed to.

The committee amendments were agreed to.

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

On motion of Mr. MONDELL the title was amended as previously indicated.

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

HOLDERS OF MEDALS OF HONOR.

Mr. FOSTER of Vermont. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 223.

The SPEAKER. The resolution has been read heretofore in the House. The Clerk will read the title.

The Clerk read as follows:

House joint resolution 223, relating to the holders of medals of honor.

Mr. GILBERT. Mr. Speaker, I should like to have the resolution again reported.

The SPEAKER. If there be no objection, the resolution will be again reported.

The Clerk read as follows:

Resolved, etc., That the holders of medals of honor under the act approved July 12, 1862, and section 6 of the act approved March 3, 1863, shall not be required to surrender such medals in case such medals are replaced, in pursuance of the provisions of the act of Congress approved April 23, 1904; and that wherever the holders of such medals of honor have surrendered them, in order to receive the medals provided for by said act approved April 23, 1904, such medals shall be returned to them: *Provided*, That no recipient of both medals shall wear both medals at the same time.

The SPEAKER. Is there objection?

There was no objection.

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

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

POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET of Indiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the post-office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 25483, the post-office appropriation bill, with Mr. CURRIER in the chair.

Mr. OVERSTREET of Indiana. Mr. Chairman, I yield ten minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET of New York. Mr. Chairman, last year I had the honor to submit, on the 13th day of April, when the post-office appropriation bill was before the Committee of the Whole House on the state of the Union, some remarks, of which the following was a part:

I am not one of those who cavil unreservedly at the Committee on the Post-Office and Post-Roads. I have come to appreciate that they have many difficulties with which to contend, and while I can not think that they have done and are doing justice to the carriers and clerks in large cities, I am at least in the frame of mind which was enjoined on the congregation in a western church by the sign over the organ, "Please don't shoot the organist; he is doing his level best."

Mr. Chairman, my views as to the Post-Office and Post-Roads Committee have not changed since that time. I presume that these remarks were the first commendation that had been uttered by a New York City Member relative to the Committee on the Post-Office and Post-Roads in the last twenty-five years. I should not blame the gentleman from Indiana [Mr. OVERSTREET] and his associates very much if they withheld consideration from a great deal that we ask for for New York City, for our newspapers give them very little credit for the good that they do.

Last year they authorized a great extension of our pneumatic-tube service in New York City, and they authorized a ten-year contract which we had been contending for for years. All the reward they ever have gotten from New York City, outside of the speech of mine, which I sent through my district, was an article in a magazine published in our city in January, six months after they had authorized the pneumatic-tube service, denouncing the gentleman from Indiana [Mr. OVERSTREET] by name, and other Members collectively, as "hayseeds" for not giving them that pneumatic-tube service which they had actually given our city six months before.

I think that the committee has given attention to the affairs of large cities. I do not think that they have done full justice to the clerks and carriers this year, but I think that is possibly because they have had their minds engrossed with railway mail pay and second-class matter proceedings. While I feel so friendly toward the Committee on the Post-Office and Post-Roads, it is an additional grief to me that in the carrier matter they have, in the language of the streets, "handed us a lemon," and I say it more in sorrow than in anger.

I desire to have the Clerk read in my time a communication which I received showing how erroneous is the idea that this bill increases carriers' salaries. In the city of New York to-day when they advertise an examination for clerks the Republican county committee sends me, as an executive member from the nineteenth assembly district, a notice to send down all men I can, and that every man who passes with 70 per cent will be appointed. I say in sadness that the men on the average who are now being appointed clerks in the New York City post-office are not as high grade men as those appointed five years ago. Of course there are very many good men who go in, many splendid men, but the average is not so good.

Mr. FINLEY. Will the gentleman allow an interruption?

Mr. BENNET of New York. Yes.

Mr. FINLEY. The gentleman says that he receives notice from the Republican committee. I would like to ask if any Democrat receives anything of that sort?

Mr. BENNET of New York. Yes; Democrats as well as Republicans.

Mr. GOLDFOGLE. Will the gentleman kindly indicate who of the Democrats has ever been notified of that fact?

Mr. BENNET of New York. They are notified the same as we are. There is a paper called "The Chief," which publishes all these matters. Our county committee being up to date, under the lead of the gentleman from New York here, Mr. PARSONS, subscribes for the paper, reads it, and when he finds a notice of examination sends that notice around to the district leaders. It is public information, open to all. And I want to say to my colleague from New York that Tammany Hall is just as smart and just as vigilant in New York City as the Republicans—according to election results, smarter.

Mr. GOLDFOGLE. I understood my colleague to say that he received a notification, not that he saw an advertisement.

Mr. BENNET of New York. Oh, I received a notification from the secretary of the Republican county committee, and I posted it upon the bulletin board of my club, and if I get any more I shall post them up in the same way.

Mr. GOULDEN. I want to thank the gentleman for giving the Democratic organization in New York City, Tammany Hall, the credit of being as smart as the New York Republicans of that city. I believe that its leaders are thoroughly alert and do not let any opportunity slip to benefit its members and improve the service.

Mr. GOLDFOGLE. But we don't get the Federal offices.

Mr. GOULDEN. I am fully convinced that the Democrats have full and equal opportunity in the examinations, but I am not so sure that this applies to appointments.

Mr. BENNET of New York. Now, Mr. Chairman, the danger is that unless we do something for the carriers, the carrier service will decrease in efficiency. I concede that the Post-Office and Post-Roads Committee ought not to consider first the individual welfare of the carrier, but the welfare of the service.

And now we have got the clerks' service in such a condition we can not get men to fill the vacancies, and if this misleading so-called "carriers' increase" goes through, under which a man going into the service now will have to wait certainly nine and possibly thirteen years before he will get as much money under the new schedule as he is getting now, we will have the carriers' service in the large cities so you can not get men to deliver your mail. I know the Committee on Post-Offices and Post-Roads did not intend that, and I think if they had had more time to consider it the committee would have seen where the trouble came in.

Mr. FINLEY. The gentleman will excuse me. The Committee on Post-Offices and Post-Roads has not done any such thing. It will not take ten or fifteen years——

Mr. BENNET of New York. When my friend hears this read I will be very glad if he gets time from his side to refute it. I will now ask the Clerk to read this.

The CHAIRMAN. The paper will be read in the time of the gentleman.

The Clerk read as follows:

To the Senators and Congressmen of the United States:

DEAR SIRS: Will this be an increase in salary?

We most respectfully beg to call your attention to the following table of letter carriers' salaries in cities with a population of over 75,000:

Salary under present law:

First year	$600
Second year	800
Third year	1,000
Fourth year	1,000
Fifth year	1,000
Sixth year	1,000
Seventh year	1,000
Eighth year	1,000
Ninth year	1,000
Total	8,400

Salary as proposed under the Overstreet bill:

First year	$600.
Second year	700, loss $100.
Third year	800, loss $200.
Fourth year	900, loss $100.
Fifth year	1,000.
Sixth year	1,100, first $100 returned after 4 years.[a]
Seventh year	1,100, second $100 returned after 4 years.[a]
Eighth year	1,100, third $100 returned after 5 years.[a]
Ninth year	1,100, fourth $100 returned after 5 years.[a]
Total	8,400.
Less interest loss	90.
Total	8,310.

Result after nine years' services as a regular carrier, loss $90. Adding to this from two to four years' services as a substitute carrier, it would require from eleven to thirteen years' services to be even with the present salary law (not figuring any interest lost), should the bill as recommended by the Post-Office and Post-Roads Committee become a law.

During the reading,

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNET of New York. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing the remainder of that article.

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

Mr. OVERSTREET of Indiana. I yield to the gentleman from Connecticut [Mr. SPERRY].

Mr. SPERRY. Mr. Chairman, for some time past I have been receiving letters from the business men of my district, from business men's associations, and from other commercial organizations, all urging strongly the necessity of increasing the salaries of our postal employees. These petitions and letters call attention to the fact that many railway mail clerks, post-office clerks, city and rural carriers are resigning because of insufficient remuneration, and the files of the Post-Office Department will bear this out. There are few, and, in some places, no eligibles on the civil-service list for these places, a condition of affairs that necessarily tends to cripple the entire service. The First Assistant Postmaster-General, when before the Committee on the Post-Office and Post-Roads, admitted that resignations were taking place. A large majority of these men leave the service because they are offered better inducements somewhere else and better remuneration.

The loss of good clerks or experienced carriers is a great loss to the people they serve, for postal work is of such a nature that it requires considerable time for a new man to learn the business sufficiently to serve the patrons of the office as they have a right to expect. Our entire post-office organization is the outgrowth of a very small beginning. It has taken years to build up, and we have placed it on a high plane. Its reputation is good and its personnel efficient. We should strive to maintain the excellent reputation it has taken years to establish. Without good men to do the work, we can not hope to maintain the record of the service for the past few years. The loss of a long-tried and faithful clerk is a great loss to the business community.

Let me quote to you from the report of the First Assistant Postmaster-General for the current year:

Much of the work in our post-offices is of such a nature that it requires months of practice before proficiency can be attained, and the necessity of employing untrained men to replace those resigning is a serious handicap. Recognizing these conditions, the Department has greatly increased its estimates for salaries, and it is believed that the granting of the larger appropriations recommended will be a measure of true economy. A failure at this time to increase materially the compensation of post-office employees, thus keeping pace with the advancing wages in other lines of employment, will seriously jeopardize the efficiency of the service.

[a] Lost in interest, at 5 per cent, $90.

Post-offices were not established for the purpose of filling our vaults with money, but to assist our business men to carry on their business successfully and to promote social correspondence. Post-offices had their small beginnings and a natural growth. In the early times we had to go to the post-office to transact our postal business. We paid in cash at the office the postage required. From such a crude beginning the service has grown to its enormous proportions of to-day. We have railway mail clerks distributing mail day and night on our fast express trains. The clerks in our post-offices work day and night, while our carriers collect and deliver mail free of charge. For all this service we simply are required to pay the necessary postage.

The Post-Office Department employs to-day over 200,000 persons, and it is estimated that there are 65,600 post-offices throughout the whole country. The importance to the country of this vast service can be seen at a glance. It is, in fact, the branch of the service of our Government which comes closest to the people, and for that reason we should strive all the more to improve it.

It is stated by the subcommittee, who had this bill in charge originally, that every employee of the postal service gets an increase under the bill. I hardly think this is so, for I find in some of the higher grades, such as for assistant superintendents and chief clerks, there is no increase in the number of clerks provided for in this bill as compared with the one for the current year. I do not see why all should not be increased. The same conditions of higher living confront them all, and they should all be treated alike. For this reason I voted in committee for a general increase all along the line of 20 per cent, but I was one of a very small minority, and I fear that it is useless at this session to try further on this line.

The bill now before us, however, is a step in the right direction. Justice is certainly done to some and many will be benefited by the provisions of this bill. It is at least an opening wedge, and we show the people we are not unmindful of the needs of the service so dear and close to them. For these reasons I urge you all to vote for the bill as reported by the committee and leave to future Congresses to meet whatever conditions may arise in the years to come. [Loud applause.]

Mr. OVERSTREET of Indiana. Mr. Chairman, I yield to the gentleman from Illinois [Mr. SMITH].

Mr. SMITH of Illinois. Mr. Chairman, under general debate on H. R. 25483, being "A bill making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes," I desire in the limited time given me, to offer some suggestions on the bill in general and some special remarks relative to rural free-delivery service.

This bill carries an appropriation of $209,416,802 for the fiscal year ending June 30, 1908. This is an increase of $2,754,612 over the original estimates made by the Department. This fact alone shows the great interest the committee had in this service and their earnest desire to liberally provide for same and better it in every way possible during the coming fiscal year.

It further shows that the committee have carefully gone into an investigation of this service and are willing to provide, as far as possible, for its betterment and support.

I served for several terms as a member of the Committee on Post-Office and Post-Roads and know something of the arduous work they have to perform. Speaking generally, I believe the bill now under consideration is a fair one.

When I first became a member of that committee, the annual appropriation bill amounted to about $60,000,000. I have seen it grow to the enormous sum of $209,416,802, as provided for in this bill. The needs of the country have demanded this increase.

It is one of the duties of a government to furnish to its people every convenience of mail service and otherwise to which they are entitled, and I am pleased to note that under the wise and liberal provisions of Congress this Government is furnishing our people the best mail facilities provided for by any civilized government in the world.

I regret that the committee did not provide a larger amount for rent, light, and fuel as well as an increase for clerk hire in second, third, and fourth class post-offices, and that no sufficient provision is made for increase of salaries to all the railway mail clerks, and I trust that by amendments to this bill

same may be provided for. I shall be more than glad to aid in securing increased appropriations along this line.

During my terms of service on the Committee on Post-Office and Post-Roads the question of establishing rural free-delivery service was frequently brought up and discussed generally. Myself and certain other members of the committee always favored same. However, a majority of the committee were against us for several sessions of Congress. Finally, for the fiscal year 1897, we secured an appropriation of $40,000 to inaugurate an experimental rural delivery. I well remember that those of us who favored this were laughed at by many of our colleagues in the House. We were told that our ideas on this subject were visionary and could never be carried into effect. However, during the fiscal year 1897 this appropriation was expended, and the experiment worked so well that the Post-Office Department, in 1898, asked us to increase the appropriation to $50,250 for the next fiscal year. This we did.

In 1899 the appropriation was increased to $150,032.

In 1900 the appropriation was increased to $450,000.

In 1901 the appropriation was increased to $1,750,796.

In 1902 the appropriation was increased to $4,089,075.

In 1903 the appropriation was increased to $8,580,364.

In 1904 the appropriation was increased to $12,926,905.

In 1905 the appropriation was increased to $21,116,600.

In 1906 the appropriation was increased to $25,828,300.

In the bill now under consideration the amount recommended for this service is $28,200,000.

Such has been the wonderful growth in this country of rural free delivery since its inception ten years ago, and having traveled in some other countries where rural delivery is in vogue, I am glad to say that, from my observations, our service in the United States is not surpassed by any other country.

This service will be continued and soon rural free delivery will be fully provided for the entire United States. It is a godsend to our people in the country. It gives them to understand that this great Government of ours carefully looks after the individual interests and personal conveniences of its citizens. Through this service the Government delivers at the doors of its rural citizens their mail as promptly and conveniently as it delivers same to the residents of cities. In my judgment, rural service is one of the greatest means for the dissemination of knowledge and information to our people in the country they have ever enjoyed. By this means they are enabled to keep in touch with the markets of the country and with current events in all parts of the world. It is a great boon to all our people, and I am glad I have lived to see it ripen into a permanent service, which will continue to improve and eventually carry to the doors of the humblest citizen its beneficent benefits.

On pages 3 to 10 of the report of the Fourth Assistant Postmaster-General for the year ending June 30, 1906, will be found a detailed statement of "Growth of the service," "County rural service," "Inspection of existing service," "Conditions necessary to establishment," "Rural mail boxes," "Roads," "Transportation of mail," and "Rural letter carriers."

These statements I regard as being of especial interest to my people, and I have taken the liberty of inserting them here as a part of my remarks:

GROWTH OF THE SERVICE.

In the fiscal year ended June 30, 1906, the tenth year in which rural delivery has been in operation, there has been material decrease in the demand for the service. The climax in the development of the rural delivery of mail was reached in the fiscal year 1904, when the service was installed on 9,447 routes. At that time the average number of petitions filed per month was 700. This average was maintained during the fiscal year 1905, but during the past fiscal year the number of petitions filed was 4,687, a monthy average of 390. Of this number, 3,720 were accepted for investigation.

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With the close of the fiscal year 1906, rural delivery was in operation on 35,766 routes. On 233 of these routes service is performed triweekly. On nearly all of the remainder the service is daily, as it is contrary to the policy of the Department to establish rural delivery with service more frequent than once a day. During the year 3,732 new routes were established and 76 routes were discontinued, the net increase for the year in the number of routes in operation being 3,656. The decrease in the number of routes established is due to the falling off in the demand for the service. The number of petitions pending June 30, 1906, was 3,099. Since that date 449 petitions have been accepted and 752 routes established or ordered established. There are on hand awaiting action 825 petitions favorably reported, making the net number of petitions pending October 1, 1906, 1,968.

COUNTY RURAL SERVICE.

On June 30, 1906, complete rural delivery was in operation in 448 counties, in 165 of which it had been completed during the year. Since that date and up to September 30, orders have been issued for completing the service in 98 additional counties.

The following table shows, by States, the disposition of petitions for rural service in the aggregate up to June 30, 1906, and during the fiscal year ended on that date:

State.	Disposition of petitions up to June 30, 1906.					Routes having three-times-a-week service June 30, 1906.	Disposition of petitions during fiscal year 1905-6.				
	Cases referred.	Routes in operation.	Adverse reports.	Routes discontinued.	Cases pending.		Cases pending June 30, 1905.	Cases referred.	Net number of routes established.	Adverse reports.	Routes discontinued.
Alabama	1,653	715	705	4	229	1	291	373	190	242	3
Arizona	13	8	2	0	3	0	3	1	0	1	0
Arkansas	533	278	182	3	70	5	122	184	85	148	3
California	352	254	77	0	21	0	22	32	21	12	0
Colorado	164	86	65	0	13	0	7	17	5	6	0
Connecticut	282	236	35	1	10	0	4	17	7	3	1
Delaware	130	106	18	1	5	0	6	3	1	3	0
District of Columbia	9	3	5	0	1	0	1	1	0	2	0
Florida	148	59	38	0	51	0	44	52	27	18	0
Georgia	2,741	1,381	1,167	5	188	15	298	300	202	209	3
Hawaii	1	0	1	0	0	0	0	0	0	0	0
Idaho	101	57	30	0	14	0	18	19	19	4	0
Illinois	3,416	2,693	618	7	98	1	128	187	157	57	3
Indiana	2,682	2,105	485	6	86	3	112	146	127	40	5
Indian Territory	43	17	20	0	6	0	7	17	6	12	0
Iowa	2,982	2,266	640	3	73	4	146	182	157	95	3
Isle of Guam	1	0	0	0	1	0	0	1	0	0	0
Kansas	2,166	1,566	496	13	91	4	114	146	101	56	12
Kentucky	1,234	639	451	4	140	5	35	242	75	197	4
Louisiana	180	58	82	0	40	9	174	91	34	52	0
Maine	553	421	115	0	17	0	33	26	23	19	0
Maryland	525	385	83	2	55	0	29	66	26	13	1
Massachusetts	313	248	46	1	18	0	16	28	16	9	1
Michigan	2,438	1,813	461	2	162	0	129	213	119	59	2
Minnesota	1,996	1,382	450	0	164	16	193	231	166	94	0
Mississippi	892	393	380	1	118	6	207	223	127	183	1
Missouri	2,553	1,825	540	1	187	6	233	316	211	150	1
Montana	55	31	22	1	1	0	4	11	9	4	1
Nebraska	1,368	914	416	0	38	10	50	81	56	70	3
Nevada	3	1	2	0	0	0	0	0	0	0	0
New Hampshire	255	199	51	0	5	0	11	15	13	8	0
New Jersey	303	231	46	0	26	0	25	48	41	6	0
New Mexico	5	3	0	0	2	0	0	2	0	0	0
New York	2,222	1,723	438	3	59	0	86	121	69	76	3
North Carolina	2,327	1,152	1,043	2	130	6	347	262	177	301	1
North Dakota	344	226	106	4	8	86	57	59	60	39	4
Ohio	3,345	2,440	774	9	122	2	184	196	165	86	7
Oklahoma	951	639	225	0	97	0	69	201	107	66	0
Oregon	249	182	54	0	13	0	16	20	14	9	0
Pennsylvania	2,655	1,986	555	24	90	2	151	244	207	95	3
Rhode Island	41	28	10	0	3	0	4	5	4	2	0
South Carolina	1,211	569	549	0	93	4	138	121	91	75	0
South Dakota	552	361	158	1	32	16	66	102	107	29	1
Tennessee	2,563	1,534	914	6	109	3	287	175	158	190	5
Texas	2,502	1,525	838	1	138	20	303	361	205	320	1
Utah	65	42	21	0	2	0	1	3	0	2	0
Vermont	398	284	99	1	14	0	23	38	26	21	0
Virginia	1,689	833	744	5	107	6	234	164	102	184	5
Washington	288	194	69	0	25	0	29	54	34	24	0
West Virginia	356	221	72	0	63	0	63	83	58	25	0
Wisconsin	1,763	1,450	243	9	61	3	82	80	70	29	2
Wyoming	11	5	6	0	0	0	0	0	0	0	0
Total	58,632	35,766	14,647	120	3,099	233	4,602	5,560	3,656	3,331	76

INSPECTION OF EXISTING SERVICE.

Carrying out the purpose expressed in the last annual report of this office, a system of inspection of the rural-delivery service has been instituted with a view to bringing it up to a reasonable standard of efficiency, eliminating unnecessary duplication of service on roads traversed by star-route service and ascertaining the causes of lack of patronage where found and, if possible, applying a remedy. In this inspection the policy outlined in the report of the Postmaster-General for the fiscal year ended June 30, 1905, has been followed, to wit:

In all cases where the patronage of post-offices is believed to be adequately served by rural delivery, recommendations for their discontinuance have been submitted to the First Assistant Postmaster-General; where the patronage of a route is not deemed sufficient to warrant daily delivery triweekly service is substituted, reducing the cost of the service, and where triweekly service is not justified the route is discontinued In carrying out this policy every effort is made to continue the service to the patrons who have used it. Out of 35,766 routes in operation June 30, 1906, triweekly service was being rendered on 233, only 45 of which had been reduced from daily delivery because of lack of patronage, the remainder having been inaugurated with triweekly service in sections where the population did not require daily deliveries.

In many instances the reductions of routes from daily to triweekly service has resulted in stimulating increased patronage and consequent restoration of daily service. Since June 30 and up to September 30, 1906, service has been rendered triweekly on 88 routes because of lack of patronage, and 42 routes have been established with such service.

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CONDITIONS NECESSARY TO ESTABLISHMENT.

The requirements for the establishment of rural delivery have been the same as for the two preceding fiscal years except that since December 1, 1905, it is required, before service is installed, that the postmaster at the distributing office certify that not less than three-fourths of the possible patrons have provided for mail boxes conforming to the regulations. The initial step in securing the inauguration of rural delivery service is the filing of a petition for such service.

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Inquiry is now made through postmasters as to whether petitioners are heads of families or householders actually residing along the pro-

posed route of delivery, and if so, it is presumed they have petitioned in good faith for the service.

After a petition is accepted an inspector visits the locality and if the conditions are favorable lays out the route to be traveled in the delivery of mail. Favorable conditions are: The roads to be traversed to be in good condition, unobstructed by gates; no unbridged creeks or streams not fordable at all seasons of the year, and a possible patronage of 100 or more families on each route of 24 or more miles in length, or a proportionate number of families where it is necessary to lay out routes less than the standard length.

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RURAL MAIL BOXES.

Persons desiring the benefits of service on a rural delivery route are required to furnish and erect in a suitable place accessible to the carrier, at their own cost, boxes for the reception of mail to be delivered or collected by the carrier.

All rural letter boxes must conform to the specifications fixed by the Department as to size, shape, and workmanship; must be made of galvanized iron or sheet steel, equipped with some kind of a signal for indicating the presence of mail therein, and must be approved by the Department.

Patrons may make their boxes or have them made to order by submitting a plan of such boxes and a sample of the material of which they are to be made or the boxes themselves for approval to the postmaster at a post-office located at the county seat or to the postmaster at any first or second class post-office located in the county where rural delivery is in operation, and in case rural delivery is not in operation at the county seat and there are no first or second class post-offices in the county, to the postmaster at any post-office in the county where rural delivery is in operation.

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ROADS.

While the requirement of the Department that all roads over whch rural delivery is established and maintained shall be in good condition and kept in repair has resulted in greatly improved roads and the expenditure in the aggregate by local authorities of many thousands of dollars, still there is in many localities such a lack of interest in keeping the roads in a passable condition during all ordinary seasons that the rural delivery is continued regularly with difficulty, and frequently a temporary suspension of the service has been necessary. When there is no disposition to meet the requirements of the Department in this regard, it is necessary to rearrange the route and withdraw the service from the impassable roads.

Since January 1, 1906, increased efforts have been made by road officials in various States to secure the cooperation of the Post-Office Department in the improvement of public highways on which rural delivery service has been established. The Department is now actively aiding the road officials in the States of Illinois, Wisconsin, Missouri, Minnesota, Iowa, New Jersey, and Maine to attain this object. The method of procedure is for the road officials to send out to each rural carrier a blank containing questions to be answered by him in regard to the condition of the roads; the materials of which they are composed; how often worked and in what manner; the condition of the bridges and culverts, and whether suitable road-building material is available in the neighborhood. Postmasters at rural delivery offices are directed to cooperate with State and local road officials and to instruct the rural carriers attached to their offices to furnish all the information called for. As a result of these efforts, complaints in regard to the bad condition of roads in the States named are becoming much less frequent.

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There continues to be urgent need of more active interest in road building and improvement in the prairie sections of the country, in States where low, flat lands and swamps are found, and in the mountainous regions embraced within the Appalachian chain.

TRANSPORTATION OF MAIL.

In the establishment of rural service, where it is necessary to cover roads traversed by carriers on star routes or mail-messenger routes, and where the post-offices supplied thereby can not be discontinued, it is frequently possible to curtail or discontinue such service and have the mail for the post-offices involved transported by rural carriers without additional expense. The number of post-offices receiving mail supply in this way on September 30, 1906, was 4,894.

RURAL LETTER CARRIERS.

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The resignations of 4,441 carriers were accepted during the year, about 12 per cent of the carriers in the service June 30, 1906, and an increase of 1,559 over the number accepted during the preceding fiscal year. This is the greatest number of carriers resigning in any one year in the history of the service, being 125 more than in 1904, when 17 per cent of the carriers resigned.

Under the law the maximum compensation which may be paid a rural carrier is $720 per annum. They are required to furnish and maintain their own conveyances, which must provide proper protection for the mail, be a credit to the service, and be kept in a good state of repair.

In performing their duties rural carriers are exposed to all conditions of weather at all seasons of the year, which in some portions of the country calls for great physical endurance. Of the 35,666 carriers employed June 30, 1906, 13,365 are serving routes 25 to 30 miles in length, and 7,540 routes of 24 miles in length—i. e., not quite three-fifths and considerably more than one-half of the carriers travel from 24 to 30 miles six days each week. To do this requires the maintenance of at least two horses, and on a large number of routes three horses are necessary to render regular service during continued inclement weather.

Of the remaining carriers, 7,536 are performing service on routes from 20 to 24 miles in length, which, as a rule, require two horses. The Department insists, in the interest of regular, satisfactory service, on strict compliance with the schedule of departure and arrival fixed for the carriers' trips—based on an average rate of travel of 4 miles per hour.

The cost of horses and their maintenance varies greatly throughout the country, but a moderate estimate of the original average cost of horses and vehicles is $275, and the estimated average cost of maintaining an outfit is about $250 per annum. With the daily wear and tear to which a carrier's equipment is subjected, the life of the horses and vehicle ranges from three to five years. Based on these estimates the average annual cost of the carrier's outfit is not less than $300 to $340, if kept in such condition as to be a credit to the postal service, leaving from $380 to $420 for his own labor.

In this connection a comparison of the conditions under which carriers in the city-delivery service are employed is only just to the rural carrier. Granting that city carriers are employed for the most part where the expense of living is greater, the most of them are not required to maintain any equipment, and those who are mounted are given an allowance about equal, as a rule, to the cost of maintenance. Then, too, the city carriers are not subject to the same exposure to storms and cold as are rural carriers. The compensation of city carriers ranges from $600 the first year to $850 the second year in cities of less than 75,000 population and from $600 to $1,000 the third year in cities with a population of over 75,000. Out of 22,965 city carriers in the service last year only 615 resigned. While this is a marked increase over the number resigning the previous fiscal year, it is only about 2½ per cent of the total number of carriers employed in that service.

Inasmuch as rural carriers are required to furnish and maintain their horses and vehicles, and in view of the rigorous conditions under which they must perform their duties and of the increased cost of living, the present compensation is deemed generally inadequate.

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An increase in salary is proposed rather than an allowance for the maintenance of equipment for the reason that as rural delivery is now in operation in every State and the Territories of Oklahoma, Arizona, New Mexico, and the Indian Territory, the cost of keeping horses varies greatly, and the making of fair and equitable allowances therefor would be most difficult. It would involve securing information as to the cost of horse feed in various localities in different States, the determination of the question whether service on a given route should be performed with two or three horses, and constant appeals for increased allowance based on these varying conditions.

From the above quotations it would seem to me that the present maximum rate of pay to our rural carriers, $720 per annum, is absolutely inadequate. I have always advocated giving a reasonable living wage to every employee in the Government service.

I note that in this bill the recommendation is that carriers' salaries shall be increased from $720 to $840. I do not consider this increase commensurate with the expenses which they have to incur nor the duties they have to perform.

At the proper time, during the consideration of this bill in the Committee of the Whole, I shall offer, if I can secure recognition from the Chairman, the following amendment:

On page 30, line 17, strike out the words "eight hundred and forty" and insert in lieu thereof the words "one thousand;" so that the paragraph shall read:

"That on and after July 1, 1907, letter carriers of the rural free-delivery service shall receive a salary not exceeding $1,000 per annum.

I believe this increase is absolutely just and right and that it should be adopted.

The rural carriers throughout our country are selected from the best of our young men. They are required to possess a good education. They must perform their duties to the satisfaction of the Post-Office Department. They are courteous and gentlemanly to all their patrons. They are respected citizens of the United States and are entitled to receive from the Government which they serve a reasonable wage for a reasonable day's work. For this principle I have strenuously contended since the inauguration of this service, and to secure same I shall continue my efforts along this line till our labors shall have reached their fruition and the rural letter carriers of our country shall receive the meed of justice from our Government to which they are fully, absolutely, and justly entitled. [Applause.]

Mr. OVERSTREET of Indiana. I would request the gentleman from Tennessee to occupy some time.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Chairman, while the increases proposed for the postal clerks and letter carriers in this bill are by no means adequate, yet it is gratifying to find that the Committee on Post-Offices and Post-Roads have taken a step in the right direction. My views in regard to the salaries of these deserving postal employees are so well known and have so frequently been stated on this floor that they need not be repeated now. It is a quarter of a century since the salaries of the carriers were fixed by law. Since then their work has greatly increased, their labor heavily multiplied, the cost of living in cities has immensely advanced, but the salaries of these men, who have rendered faithful and efficient service, have remained the same. That this is an act of gross injustice on the part of the Government toward these men no fair-minded citizen can deny.

For years efforts have been earnestly made to secure an increase of the salaries. Ever since I came to Congress I advocated it. I recall how my colleagues, Messrs. SULZER, FITZGERALD, and GOULDEN, on the floor of this House spoke in support of the amendment I offered to increase the salaries. It is pleasing to find that at last the proposition to increase has found favor with the committee, though I do regret that they did not go a little further while they were at it and make the maximum $1,200, as it at least ought to be.

I wish the committee had treated the junior carriers a little

better than they are treated in the pending bill. In some instances they are to receive something less than they are now receiving, and I want to say this is hardly fair. I do hope ere we pass the measure—when we come to perfect the bill—that this inequality may be corrected.

It is pleasing to note that there is to be an allowable exchange between postal clerks and carriers, so that the carrier, where his health requires indoor work, may take a clerk's place and the clerk who may require outdoor exercise may be taken from his confined position. Such a provision will serve a salutary purpose and I trust it will receive the unanimous support of this House.

Every consideration of fairness and fair play requires a raise of the pay of the postal men, who constitute one of the hardest-worked classes of Government employees. They serve the people well. They have been, of all Government employees, the most underpaid. In the large cities of the land, especially in New York, which in part I have the honor to represent, their pay, in the light of both increased labor and cost of living, is in fact beggarly. The men—clerks and carriers alike—are worthy of an increase much beyond that now proposed in the bill, and as an act of common justice to the men who have served the public so well the well-earned increases ought to be made. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MOON of Tennessee. I yield to the gentleman from Arkansas [Mr. ROBINSON].

Mr. ROBINSON of Arkansas. I have received a large number of telegrams from citizens in the State of Arkansas asking me to oppose any reduction in the railway mail pay. Actuated purely by a desire to vote intelligently on the matter, I have made some extended investigation of the subject since receiving those telegrams. I find that there is no Member of this House who does not advocate some reduction in the railway mail pay. The Committee on Post-Offices and Post-Roads, reporting the bill to this House, recommended very material reduction, and some of those recommendations are supported by the report of the postal railway commission.

I regret my inability to comply with the request contained in these telegrams. If the authors of them had opportunity to investigate the subject it is more than probable that they would reach the conclusion that existing conditions justify, if they do not make necessary, a readjustment of the compensation paid to railroads for transporting the mail.

The statute authorizing this pay I insert in part. It is as follows:

SEC. 3997. The Postmaster-General shall arrange the railway routes on which the mail is carried, including those in which the service is partly by railway and partly by steamboat, into three classes, according to the size of the mail, the speed at which they are carried, and the frequency and importance of the service, so that each railroad shall receive, as far as practicable, a proportionate and just rate of compensation, according to the service performed.

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SEC. 4002. The Postmaster-General is authorized and directed to readjust the compensation hereafter to be paid for the transportation of mail on railroad routes upon the condition and at the rates hereinafter mentioned:

First. That the mail shall be conveyed with due frequency and with speed; and that sufficient and suitable room, fixtures, and furniture in a car or apartment, properly lighted and warmed, shall be provided for route agents to accompany and distribute the mail.

Second. That the pay per mile per annum shall not exceed the following rate, namely: On routes carrying their whole length an average weight of mail per day of 200 pounds, $50; 500 pounds, $75; 1,000 pounds, $100; 1,500 pounds, $125; 2,000 pounds, $150; 3,500 pounds, $175; 5,000 pounds, $200, and $25 additional for every additional 2,000 pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of consecutive working days, not less than thirty, at such times, after June 30, 1873, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct.

WHY A READJUSTMENT SHOULD BE MADE.

The first reason that suggests itself to my mind as indicating the necessity for a change is found in the antiquity of the law. The statute was passed in 1873. It was slightly modified in 1876 and again in 1878, and the appropriation act of March 3, 1905, provided for a longer period of weighing, as follows:

That hereafter before making a readjustment of pay for transportation of mails on railroad routes the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than ninety, at such times after June 30, 1905, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct.

Thus it appears that for almost thirty-five years this statute has remained without material change. During this period amazing development has occurred throughout the country, and the facilities for transportation have been greatly increased and improved. It seems to me that a second reason demanding a readjustment is found in the fact that a rate fairly compensatory thirty-five years ago is more than likely to be extortionate now. It is incredible that through all this development and improvement this subject should present the anomaly of requiring no change in its treatment by Congress. Freight rates, passenger rates, and express charges have in the meantime been greatly reduced and are still being reduced. While there are some features of this subject peculiarly calling for consideration, the vital question is whether the present system of paying the railroads is fair and should be maintained or whether inequalities and absurdities exist in the system that make necessary its revision.

FEATURES OF THIS BILL RELATING TO RAILROAD MAIL PAY.

The principal features of the bill under consideration, of which representatives of the railroads complain, are the following:

1. Reducing compensation 5 per cent on routes carrying over 5,000 pounds and less than 48,000 pounds daily.
2. Reducing compensation 10 per cent on routes carrying over 48,000 pounds and less than 80,000 pounds daily.
3. Reducing rates on routes carrying over 80,000 pounds daily to $19 for every additional 2,000 pounds.
4. Changing the method of reaching the daily average.
5. Eliminating from the weights empty mail sacks.
6. Reducing pay for furnishing, equipping, and hauling railway post-office cars.

The committee having in charge the measure have reported to the House recommending these alterations in the law. It has been charged by gentlemen here that these recommendations are made without due consideration; that they do not reflect the individual opinion of the Members composing that committee; that those individuals do not justify in their own judgments the action which they propose in this regard. I would like to know, then, whose opinion these recommendations do represent.

How did they get before this body?

The gentleman from Pennsylvania [Mr. SIBLEY] a few days ago, in discussing this subject, said, in effect, that the time has come when it is impracticable for the railroads to receive fair treatment by this body. To use his exact language, he says:

I submit to the gentlemen of this body that in this era, when corporations have not too many friends who dare defend them even when right, when the railroads have few defenders who will stand on the floor of this House and plead for equal and exact justice, none the less, in my judgment, if the cause can be fairly and fully presented, the greatest corporation can come before this body and receive the same measure of justice, or, at least, should receive the same measure, neither more nor less, than is accorded to the poorest and humblest private citizen of our Republic. Let the square deal fall where it will.

Mr. Chairman, I have not found, in my brief career as a Member of this body, any disposition on the part of the Members of this House to oppress the railroads. On the contrary, if I may be permitted to differ with the distinguished gentleman from Pennsylvania, I have found that they have very many able defenders here, among whom may be fairly counted the gentleman from Pennsylvania himself.

I am impelled by no sense of opposition to railroads, but by a sense of duty alone, to say that while I regard railroads as institutions of great value in our commercial and industrial development, demanding and being entitled to receive fair treatment at the hands of all legislative bodies, yet we also owe the duty to the public to see that while no injustice is done the railroad in the manner and in the amount by which they are compensated for services rendered the Government, the people are not unjustly charged for the services they receive at the hands of these corporations. The subject should at least have fair, open, and full consideration by this body. There is a general impression throughout the country that the railroads are overpaid. The conviction is growing on the minds of the people that the entire method of compensation should be revised. The Arkansas Gazette, a leading daily paper in the State of Arkansas, contained in a recent edition the following editorial:

RAILROAD COMPENSATION FOR CARRYING THE MAILS.

Apparently some railroads are going to fight the proposed readjustment of the rates paid them by the Government for carrying the mails by threatening to cut off fast mail services or to take other such steps. Right at home we hear reports that the Iron Mountain may discontinue the fast mail train that now runs from St. Louis to Texas through Little Rock.

After long and careful investigation a Congressional committee has decided that the present arrangement under which the compensation of the roads for carrying the mails is fixed is unjust to the Government and has recommended a readjustment that will reduce the amount the Government has to pay. Now that this matter is pending, the roads are believed to be emitting hints and threats that the public will suffer if this compensation is reduced.

We believe Congress will go ahead and make the proposed readjustment. The roads are now paid under an arrangement that was made in 1874. Conditions have changed since then. The Government should not pay the roads too much even if the Government had money to throw away, but the money is urgently needed for other departments of the postal service. The country districts are continually calling for extension of the rural free-delivery service, and sooner or later the

Government will have to pay higher wages to its post-office clerks and other employees or see the service deteriorate.

And another thing the Government should do is to make the railroads run their mail trains with some regard to their schedules.

The present method of fixing compensation contains some absurd features, to which I desire, briefly, to call attention. First, with reference to the method of ascertaining the average daily weight of mail carried, to which attention has been called by the gentleman from Kansas [Mr. MURDOCK], *it has been conclusively established during the course of this debate that the mails are weighed for a given period, including Sundays, and the average daily weight carried is found by dividing the total weight carried for all the days by the number of days less Sundays.* The statute requires that the weighing shall be done on "working days." Working days, according to the best authorities, means days on which work may be legally done. This would exclude not only Sundays, but legal holidays as well. The mistake, which has become so well established as now to be regarded as law, in the method of ascertaining the daily average is due to the fact that "working days" seems to be given two significations in its application to railway mail carriage. In the *weighing* of the mails it is made to mean every day on which the mails are in fact carried, including Sundays and legal holidays; but in the ascertaining of the daily average it is interpreted as meaning the days on which work may be legally done, which excludes holidays as well as Sundays. Now the law does not authorize the weighing of mails except on working days, and if working days means only six days in the week, as it has been construed, then the weight should be ascertained for the six days and the average weight determined by dividing by six.

It is clear to my mind that the correct way to ascertain the "average daily weight" is to ascertain the whole weight for a given number of days and divide that sum by that number of days. It is contended by the Department and by many gentlemen here that the statute fixes what is, in effect, an arbitrary method of ascertaining the average daily weight of mails carried, and that the method, however incongruous it may appear, must be followed in the application of the law. I do not here controvert the proposition that the legislative department has the power to fix the method of ascertaining the daily weight of mails carried and that by means of the manner in which they fix it the average ascertained may be in fact very different from the true average daily weight. But I do contend that Congress has not done that, and if the law under which mails have been transported for thirty-five years is susceptible of the construction that the average daily weight is to be ascertained by adding together the mails carried on seven days and dividing the sum by 6 instead of 7, then, for the sake of simplicity and fairness, the law ought to be changed and the system placed upon a rational basis that will not present to the public eye the appearance of favoritism to the railroads in the administration of the law.

Some gentlemen who oppose this change in the law, it appears to me, are somewhat inconsistent. In one breath they say that it makes no difference whether in ascertaining the daily average the actual average be ascertained, or what may be termed the constructive average, and yet they oppose the removal from our statutes of this anomalous or ambiguous provision which makes possible confusion and has justified criticism. As a matter of fact, this change alone will result in saving several millions of dollars annually to this country. I think the time has come when the change ought to be made. It is not apparent that any injustice will be done by reason of such a change, but, on the contrary, since freight rates, express charges, and passenger fares have fallen and are constantly decreasing, some reduction can certainly be made in the expense of transporting our mails, which has come to be so considerable an item as to carry in this bill $44,660,000. This is more than one-half dollar to every man, woman, and child in the United States. I am proud of the fact that this service rendered by the railroads has been in many instances highly satisfactory and in most instances efficient. In some localities, however, the service is and has been open to severe criticism. The railroads, to save expense, in some parts of the country have permitted great delays in the transportation of the mails. Quick service and prompt service has come to be regarded as essential, and in this regard the service heretofore rendered by the railroads is certainly not altogether above criticism.

PAYMENT FOR EMPTY MAIL BAGS.

Another feature of this proposed legislation relates to the payment for the transportation of empty mail bags. A careful examination of the statutes relating to the subject reveals the fact that no express provision is contained in the law authorizing such payment. On yesterday I telegraphed the Second Assistant Postmaster-General asking by what authority such payments are made. To that telegram I received the following answer:

POST-OFFICE, *February 18, 1907.*

Hon. JOSEPH T. ROBINSON:

Answering telegram: The original significance of mail includes the sack in which the mail matter is carried. This was decided to be true by Federal courts in 1830 and 1849 and a State court in 1878. Under the general laws authorizing payment for transportation of the mails, mail sacks have been and are held by established custom, and as supported by judicial decisions, to be part of the mails. No distinction is made against empty sacks, the carriage of which are necessary to mail transportation.

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

The cases relied on to sustain the construction placed upon the statutes as authorizing payment for transportation of empty sacks are as follows:

Wynen *v.* Schappert (6 Daly, p. 558).

In this case the word "mail" is defined as follows:

The word mail means the carriage of letters by public authority whether applied to the bag in which they are put or the vehicle or other means employed for their carriage and delivery.

This case presented the question whether due diligence had been used in the transmission of a note for collection by delivery to a letter carrier.

United States *v.* Wilson and Porter (1 Baldwin, p. 105).

This case hinged upon the proposition whether on an indictment charging a robbery of the mail the evidence must show that the "whole mail" was robbed. This contention was far-fetched, and the decision in the case really throws no light on the subject in controversy, except in so far as it defines the word "mail." The court said:

It is contended that inasmuch as the indictment charges a robbery of the mail, the evidence must show that the whole mail must be robbed; that though robbing part of the mail is the same offense, yet the indictment not so laying the * * * robbery, the defendant can not be convicted. It is said that by mail the law means all the bags then in the stage containing letters, papers, or packages. We can not assent to this proposition. By a mail is meant a bag, valise, or portmanteau used in the conveyance of letters, papers, packages, and so forth, by any person acting under the authority of the Postmaster-General from one post-office to another; each bag so used is a mail, of which there may be several in the same vehicle, as the way mail, the general, the letter, or the newspaper mail. * * * The court have no doubt that robbing the person intrusted with any one bag, valise, or portmanteau used for the purpose aforesaid is a robbery within the express words of the law. * * *

United States *v.* Marselis, Case No. 15724 (26 Fed. Cases).

This case involved the construction of the terms "mail" and "post-office," in the trial of the defendant on an indictment for stealing mail. It throws no real light on the question as to whether our statute in providing for payment to railroads for the transportation of the mails intended also to pay for the transportation of empty sacks after the mails had been delivered. It might be contended that in compliance with its contract to deliver the mail the railroads would be under no obligation to return empty sacks or to remove the same from one post-office to another when desired by the Government for use again in transporting the mail; that for this reason the Government might be compelled to pay an additional sum for hauling the empty sacks. The question as to whether empty sacks are, in fact, mail seems susceptible of but one answer. Whether the Government should continue to pay for the transportation of empty bags, the same as if they contained mail, or whether they should be carried without cost to the Government in view of the large sums which the Government pays for transporting the mails, or whether they should be transported at less cost, are all subjects which this House might well consider and determine.

The rule adopted yesterday anticipates that a point of order will be made against all provisions in the bill relating to the proposed reduction in the compensation to railroads for transporting the mails. I am not yet convinced that this House will be denied the right to vote upon any of these questions in this way. I am not sure that any gentleman will make a point of order against their consideration. I regret that the rule does not provide for the consideration of all the recommendations made by the committee in its report to this House. Can not this body be trusted to exercise its judgment upon such questions? Ought we not have the opportunity to consider and determine whether the railroads are overpaid; whether the false average daily weight, as now ascertained, ought to be corrected and the actual daily weight provided for; whether the Government should be made to pay for the carriage of empty mail bags, and if so, what amount?

Both the committee of this House and the Postal Commission have recommended such action.

THE POSTAL COMMISSION.

On page 33 of their report, submitted to this House January 28, 1907, the Postal Commission said:

In our judgment, these empty bags, returned for the purpose of again being filled with paying freight, are vehicles of transit and should not be counted as weight of mail. We think that in this case the analogy of empty crates, baskets, and the like, which are usually returned by the carrier to the shipper free of expense, holds good as to these empty bags, and we accordingly recommend that bags so returned be excluded from the weight of which railway mail compensation is to be computed.

Are we to be denied the right of passing upon the correctness of this recommendation? The contention that empty bags should be excluded is dignified by this report and by the action of the House committee in recommending it. That committee say on page 5 of the report on this bill:

The recommendation for the elimination of empty mail bags from the weights at the times of the general weighing periods is based upon the theory that mail bags are vehicles of freight, and when full payment has been made upon both bag and contents the empty bag should not be again computed as a part of the mail weight when it is being returned to some center for use in the transmission of additional mail. There will always be greater demand at some common centers rather than others for bags in which to transport the mail. The practice has long obtained at the Department, and with this practice the committee offers no change of sending by freight in carload lots empty mail bags to such common centers. There will, however, always exist the necessity of some empty bags being constantly transmitted in compartment cars or railway post-office cars. There is no data upon which to make any estimate as to what the effect in dollars and cents may be by the proposed change of law. It seems to the committee, however, that this change is entirely justified, and the continued practice of shipment by freight of the larger part of the surplus empty mail bags will impose upon the Government the full obligation to do her part in returning these vehicles of freight to common centers and avoid any abuse by overloading the carriers with empty mail bags upon which no payment will be made. The practice which has universally obtained with reference to the return by carriers without extra charge of empty crates, kegs, baskets, and vehicles of like character ought to obtain with reference to the Government in respect to empty mail bags.

By the adoption of all these propositions the annual cost of transporting the mails would be reduced at least $8,000,000. The House ought to pass upon the question whether these reductions should be made. It will only be permitted to vote on one proposition, and that has already been approved in the adoption of the rule submitted yesterday. I have reached the conclusion that there are some discrepancies in the existing statute and some absurdities in the present method of applying it that ought to be eliminated. My humble mind is not able to grasp the proposition that the correct way to arrive at the average daily weight of mails is to weigh it for seven days and divide that total by six. I believe that in the determination of this average weight the statute contemplates that all the mail shall be weighed for a given number of days and the average weight determined by dividing by the number representing the days for which it was in fact weighed; that if the statute contemplates any other course, if it authorizes a weighing for seven days and dividing by six, in order to ascertain the average daily weight, the statute ought to be amended. I may be wrong, but I earnestly believe that this conclusion is correct.

I know that the railroad lobby, which is said to be in evidence in this city, has circulated a large number of printed documents, whereby they attempt to show that the compensation for carrying mails is less than the compensation they receive, all things fairly considered, for freights and express. No effort is made to show the process by which this conclusion is reached. If, however, it be a correct one, that of itself does not convince me that the present basis for which mail transportation is paid is correct. Express charges are notoriously high, so extortionate, in my conviction, as to demand remedial action to protect the public against the oppression which these charges inflict. The argument does not appeal to me as being worthy of great consideration, because I am convinced that express charges are excessive, and while the railroads may not have anything to do with fixing these charges, they furnish a false basis upon which to arrive at a fair charge for services rendered the Government in carrying the mails.

It is not my purpose to cripple or embarrass the speedy transportation and delivery of our mails. I look with pride upon the efficient, prompt, and certain delivery of mails in the United States. I am far from criticising the efficiency of the Post-Office Department in so far as it relates to the manner of handling mail. I look upon our mail system as one of the chief factors in that unparalleled progress which has characterized our country—every section of our country—in recent years. Commerce and education in the United States are deeply indebted to the admirable manner in which communication is had and intelligence disseminated through the mails and post-offices of the country. My purpose is rather to increase than decrease the efficiency of mail transportation and delivery. I believe it is a safe and certain means of raising the standard of our citizenship and exalting the ideals of the American people, but I submit that the railroads of this country, among the chief beneficiaries of our institutions and our laws, the recipients of great privileges and almost unlimited favors, ought not to combine to maintain and perpetuate a system of charges against this Government for services rendered to it that is open to grave criticism for unfairness and excess. Let us do what is right to the public as well as to the railroads. Let us readjust the compensation to railroads for carrying mail and place it upon a basis that is fair and consistent with the conditions that now confront us.

Mr. MOON of Tennessee. Mr. Chairman, I would ask the Chair to recognize the gentleman from Missouri [Mr. MURPHY] for five minutes.

Mr. MURPHY. Mr. Chairman, I desire at this time to call the attention of the House to the bill (H. R. 25232) entitled "An act to promote the comfort of patrons of hotels, restaurants, cafés, and eating houses in the District of Columbia," known as the "antitipping bill." It reads as follows:

That it shall be unlawful for any guest or patron at any hotel, restaurant, café, or eating house in the District of Columbia to give, or offer to give, to any steward, waiter, porter, or other employee, or for any such steward, waiter, porter, or other employee to solicit or receive, or for any proprietor or manager of any such hotel, restaurant, café, or eating house to knowingly permit any such steward, waiter, porter, or other employee to receive from any such guest or patron any gift, compensation, or honorarium other than the regular charges established for such hotel, restaurant, café, or eating house.

SEC. 2. That any person violating the provisions of this act shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined in a sum of not less than $5 nor more than $500.

I introduced this bill in all sincerity and expect to bring it before the House next District day for its consideration. I believe it a necessity and a much-needed reform, not only in the city of Washington, but the entire country. While we can not invade the States, yet we can, in a measure, make this one of the greatest and most desirable cities in which to live, or to visit, on the face of the earth; and I have no doubt when we set the example the States will follow, and we will drive from our shores a low species of bribery.

Why an honest hotel man will permit this nefarious and, I am compelled to say, degrading practice is only conjecture. I do not believe any man who permits his guests to be held up in such fashion is honest. I am not unmindful of the fact that this measure has been branded as freak or foolish legislation; but, sir, have we so soon forgotten that it became necessary for the Congress to legislate against the old negro who stands in front of the Baltimore and Ohio depot with his blind horse and much-worn cab, in the rain, in the cold, and in the snow, and we wrote it into law what his charges should be for any and every service he might render? Was that foolish legislation? Why did we do it? That all men might be treated equally; to prevent discrimination; that the old negro might not "make flesh of one and fowl of another." These are some of the reasons which induced me to introduce the bill, together with others to which I will call attention.

Mr. Chairman, I am also aware that there is opposition to this character of legislation. I find the hotel proprietors not doing an honest business, and that class of waiters who expect to hold up every guest that happens to pass his way, and those who have acquired wealth suddenly, and ofttimes improperly, who want to display it on every occasion by giving it away and lighting cigars with five and ten dollar bills, and that class of men who are spending their father-in-law's fortune trying to find a brand of whisky which will taste as good coming up as going down, as well as that class of people whose chief asset in gaining admission into so-called "society" is in his number of servants. I can understand why the first class referred to oppose me, and they drive the waiters to this hold-up. In addition to paying the regular charges, which are based on the salary of a Congressman, exorbitant and beyond all reason, we are expected to pay the salaries of the stewards, waiters, porters, bell boys, chambermaids, elevator boys, and, in fact, all the help round and about. I find that the salaries of waiters in the city of Washington range from 50 cents per day to $1 per day; the proprietor calculates the value per month of tips and arranges the waiter's salary accordingly; the higher the tips the lower the salary. This can better be told by the following article clipped from the Star, published at Schenectady, N. Y., which was written by a well-known correspondent:

[Special to the Star.]

WASHINGTON, *February 13, 1907.*

"Tip? No tip!" Washington waiters and hotel keepers are excited, while the public is curiously interested in the fate of the measure introduced by Representative MURPHY, of Missouri, prohibiting the giving or taking of tips in hotels or restaurants. For the benefit of their patrons the proprietors of hotels say they favor such a measure, but for the benefit of their waiters they oppose it. Why a hotel proprietor should favor such a measure is not clear. When one sees a smooth-faced, cleanly, white waiter deftly attending to his wants, he instinctively com-

pliments the hotel proprietor for employing such excellent help and regards the "tip" as a token of appreciation for specially attentive service. It does not occur to the guest, as a general rule, that he pays at the desk for this service and then pays the waiter. The rate of pay for the highest class waiters in Washington is $30 per month. In other words, the proprietor pays $1 per day as a sort of retaining fee to insure the presence of the waiter and to recompense him for such small services as he may perform for the hotel itself, such as removing soiled dishes and table linen. But for whatever the waiter does for the guest the latter is expected by the hotel proprietor and the waiter to pay out of his own pocket, in addition to settling a bill which is always high enough to include first-class service. The tariff is usually 10 per cent of the bill on large checks, but on small checks, say from $1 to $2, it is 25 cents. If the check is less than a dollar, the guest is expected to give the change to the waiter. The interests of the hotel proprietor and the waiter are thus identical, for as the tip is generally regulated by the size of the check the larger the bill the larger the tip. No complaint has been heard recently of the practice which formerly prevailed to some extent, under which the waiter made a false addition in lead pencil and thus cheated the guest in addition to getting a tip. So much complaint was made of this custom that it was practically abandoned and is no longer practiced in first-class places. Nor is it customary for waiters in Washington to pay the hotel proprietors for the privilege of waiting on their customers in return for tips, as is the case in some places. They are confined to the gentle practice of frowning on the modest tipster and of smiling on the more generous.

The writer fails to remember, in the course of a long experience with Washington hotels, a case where a man paid a bill at the table without tipping the waiter, so he can not say what happens under such circumstances.

At the so-called "family hotels," where the patronage is largely confined to permanent guests, the tariff for tips is $2 per week for the man and $1 per week for each member of the family. Thus, where a family has a table at which sit a man, wife, and two daughters the waiter is expected to receive a weekly honorarium of $5. Of this the head waiter collects from 20 to 50 per cent. This rate varies from about half as much to double, according to the standing of the hotel. Then there is the weekly tip to the chambermaid of from one to two dollars per room or bed. The head porter gets his every time a piece of baggage is moved, and the porter moving the baggage is duly rewarded. Tips to the head porter average $1, and the active porter receives 25 to 50 cents per large pieces.

There is no cut-and-dried system of feeing the bell boys. Permanent guests in the smaller hotels try to get one or two bell boys on their staff and fee them by the week. Transients have to take their chances and fee all the time. The schedule runs like this: Bringing in bag and carrying to room, 25 cents; same on departure; pitcher ice water, 10 cents; drinks in rooms, 10 to 25 cents; brushing coats, 10 cents; stationery, 10 cents; other services in proportion. The usual tip to "pages" is 10 cents. They call the visitors' cards. Pages who open the door to the telephone booths get 5 to 10 cents. Elevator boys in family hotels expect 25 cents to 50 cents per week from each guest or family. In the large European hotels they seldom receive anything. The custom of "tipping" the cook does not prevail here, although after a dinner party it is considered "au fait" to remember him or her. As the cook does not come in contact with the guests, she or he depends on the hotel proprietors for their wages, together from what they rake off from the waiters. It is also considered fashionable to tip the head waiter. Nothing less than a dollar goes, and if given only occasionally it should be five. In addition, he gets a percentage of the waiters' tips, and in most cases at least receives something from the proprietor.

The hotels in Washington have another pleasant custom which appeals strongly to the guests. The regular price for a telephone call from a pay station is 5 cents. In most cities the hotels supply telephones in the rooms as an accommodation to the guests, but in Washington they are made a source of considerable revenue. In coming to Washington the visitor is advised to allow at least 10 and preferably 20 per cent of what he calculates on spending for tips.

I contend, Mr. Chairman, that when a guest goes to a hotel, a café, or an eating house he is entitled to the same treatment accorded any other; no better, no worse. The idea that a boniface should be privileged to compel his guests to endure blackmail in silence in order to secure food and service for which they pay the aforesaid boniface prices out of all proportion to what they get is preposterous as well as outrageous. The waiters contend that tips are "for politeness, for prompt service," etc. I am constrained to ask for what does the traveling public pay the proprietor? Is it not his business to furnish polite and attentive help as much as clean table linen and drinking water? Is a guest not entitled to expect a pitcher of ice water without feeing the bell boy?

My attention has been directed to a hearing had before the District Commissioners on this bill the 16th of this month, which was attended by about fifty persons, composed of hotel managers, waiters, and a hired attorney. I say "attorney" because we Missourians differentiate between a lawyer and an attorney, in that Blackstone defines a "lawyer" as a person learned in the law, our statutes defining an "attorney" as one admitted to practice law. This hearing was remarkable. Using the language of a Senator, they could get a patent on the arguments there made for their novelty, yet they couldn't patent them because they are of no value. "Tipping is a condition that has existed from time immemorial, and I do not think it ever can be stopped," said the hired attorney. What, Mr. Chairman! Have these people reached such a degree of degradation that they have no respect for law? Are they over, above, beyond, or greater than the laws of the country? I do not believe this gentleman was commissioned to make such a confession or admission on behalf of or for the people he professed to represent. "Is it necessary," Commissioner Macfarland, who presided at the hearing, asked, "that patrons should give tips in order to receive proper attention and to receive courteous treatment?" "In a great many respects it is," answered the attorney.

That very answer, Mr. Chairman, not only demonstrates the necessity for, but the wisdom of, this character of legislation. When a patron must dig down into his pocket and produce additional compensation in order to receive proper attention and courteous treatment at the hands of the employees of men whose duty it is to furnish such to his guests, it is time for the Congress to call a halt on such a high-handed procedure. It has no place in a civilized country, and properly belongs to the criminal catalogue. Now, let us see what one of the head waiters advanced at this hearing as a reason why this bill should not pass:

"Unless patrons give tips they have to make a howl for everything they want, and there is not much pleasure in their eating," was the amusing statement made by J. L. Dickinson, head waiter at Harvey's.

"Two men enter a hotel for dinner. One of them is known to be a free tipper, and the other one of those who don't believe in tipping. They sit at separate tables and the first one has his meal served up to him nice and steaming long before the other man. The latter has to ask to have his glass refilled with water; he has to ask for more butter; in fact, he has to ask for everything, while the first man does not."

"Then, unless a patron pays this compulsory tip," Commissioner Macfarland interrupted, "he doesn't get the service?"

"I regret to say he does not," the head waiter replied.

This is the way, I suppose, business is carried on at Harvey's, and ought to be an incentive for every Congressman, every Washingtonian, and every visitor to patronize that would-be fashionable café. But it is no worse, Mr. Chairman, than the New Willard, the Arlington, the Raleigh, and some others I might mention, yet it is better than the Shoreham. But in all of them—mark what I say—in all of them a failure to tip or give what is considered a proper tip results nine times out of ten in an insult, and it makes no difference whether it be a gentleman or lady guest. I speak from experience, and Members on this floor have related the same character of treatment to me since I introduced this bill. I believe we should provide by law that our good women can go into any hotel or café without being subjected to a "hold up" or an insult.

There is only one gratifying feature of the tipping system; it creates caste. No one receives a tip without instinctively feeling a lowering of his public standing; no one bestows a tip without feeling he is superior to the recipient. Not only this, but tips breed graft, and, I quote the following from Theo Waters in Everybody's Magazine:

But it is the nature of the graft that the extorter has always in his turn to meet extortion. If the waiter does not share his harvest with his helper, the "bus" boy will complain to the head waiter, and the latter will also demand a share. Indeed, I was told by several New York waiters that their salaries are continually drawn upon by the head waiters, who thus exact their share of the patrons' gratuities. The method is as follows: The head waiter borrows sums of money from the regular waiters, and if the latter demand repayment they soon find themselves out of a job. A waiter working in a Chicago hotel told me that unless he tipped the chef constantly he got the wrong end of the joint, thus lessening his chance of pleasing his customer. Still another waiter complained of having to contribute part of his earnings to the cashier, on pain, in case of refusal, of having his "change" handed to him in such denominations as would make it inconvenient for the patron to give him a proper tip.

It is not necessary to assume that waiters are, as a class, deliberately dishonest. Such is not the case. But one can not cling to the spokes of a moving wheel without losing one's sense of perspective, and many a waiter who would scorn to steal from his neighbor condones these practices merely because they are the accepted way of the world.

The wage rate for waiters in hotels in large cities is usually $1 a day, but some of the biggest hotels in New York pay but $25 a month, and most of this, the waiters complain, ebbs back into the managerial till by reason of an elaborate system of fines which covers everything that a waiter may or may not do, from laying his tablecloth crooked to turning his toes inward. So that between the head waiters and the fining system it would seem that ordinary waiters see but little of their salaries. And in some hotels waiters as well as minor employees are deprived of wages and given a commission on all wine sold. In one large metropolitan restaurant they receive 6 per cent of the wine bills.

Why, Mr. Chairman, in the older countries tipping is called "the great evil of America." I submit herewith an article which appeared in a Washington paper on September 16, 1906:

LONDON, *September 15, 1906.*

London newspapers have not yet finished their "silly season" discussing about whether the tipping nuisance is greater in the United States than in England. It is agreed that when Americans "learn the ropes" they find tipping cheaper in London than in New York, for here a waiter is often satisfied with a tip of 4 or 6 cents for a slight service, whereas in New York he would turn up his nose at anything under a dime.

Augustus Van Biene, the 'cello player, in a letter to The Mail, declares that the tipping imposition is greater in the United States than anywhere else.

Mr. Van Biene writes:

"England is the European country where tipping is the least indulged. In Australia tipping is hardly known.

"But the country where tipping is a curse is America, and if you do not tip you get nothing done. You ring your bell for the bell boy to bring you a jug of ice water; he brings it up and expects the humble, but necessary, nickel. If you do not tip him you may ring your bell from now till Christmas and he will not come up, and if you

complain to the manager you are told it 'will be seen to,' but it never is.

"You dine or eat in the restaurant and you are expected to tip at least a quarter for every meal. If you do not, the waiter will pass you by. You may call him from now till Easter Monday and he does not come; and, again, if you complain to the manager, you are told it 'will be seen to,' but it never is.

"When you are traveling no porter takes any notice of you until ten minutes before you arrive at your destination. He then takes a brush and gives you a kind of apology for brushing, and expects his tip—not less than 25 cents, more often 50.

"Porters there are none; you must do everything yourself. Here in this country, when I arrive at a place, I give the porter my 'cello to put in a cab, and I give him 6 cents, and he says, 'Thank you, sir.' You try to offer a man 6 cents in America. He won't say anything—he will 'chuck' it at you."

Now, Mr. Chairman, let us see who, besides myself and the Committee on the District of Columbia, favors this legislation. The following resolutions speak for themselves:

Whereas the custom of giving and receiving what are known in common parlance as "tips" is un-American and has a tendency to lower the standard of American citizenship by placing upon the recipients of "tips" the stigma of beggary; and

Whereas the act of giving "tips" assumes that the giver of the "tips" is of a higher rank, class, or standing than the recipients thereof, thus creating a feeling of class distinction or social inequality, which is at war with the principles of republican institutions; and

Whereas the solicitation of "tips" places upon respectable vocations the badge of servility; and

Whereas the practice of "tipping" has reached such enormous proportions that the service of stewards, waiters, porters, and other employees of hotels, restaurants, cafés, and eating houses in the District of Columbia has become discriminatory, unfair, and unjust to guests of said places who are financially unable or who have the courage to refuse to thus pay tribute for service to which they are of right entitled: Therefore, be it

Resolved, That the Business Men's Association of the District of Columbia hereby indorses and earnestly recommends the passage of the bill known as H. R. 25232, having for its object the doing away with the "tip" evil and the promotion of the comfort of guests or patrons of hotels, restaurants, cafés, and other eating places in the District of Columbia.

Resolved further, That the secretary of this association transmit copies of this resolution to the Committees on the District of Columbia of the Senate and the House of Representatives and a copy to the Commissioners of the District of Columbia.

The association adopting these resolutions is composed of the business men of the District of Columbia, having a membership of about 600, among whom are found such well-known men as A. Leftwich Sinclair, Judge Kimball, Dr. H. L. E. Johnson, Allan D. Albert, J. M. Brown, James F. Oyster, Charles W. Linkins, and C. C. Lancaster. In transmitting these resolutions to me the writer said:

There is a crying need for legislation upon this subject in the District, and I trust that you may be able to bring about the passage of your bill during the present session.

The Washington Post, on February 3, 1907, in an editorial bearing a headline "A plea for reform," said:

Few doctors of law in Congress or out of Congress believe that Mr. MURPHY's bill to abolish the tipping evil is good law, but all realize that it is good policy. The traveling public ought to have some rights in this country. When a man opens a hotel for the accommodation of guests he has first procured a license from the powers that be allowing him to engage in the business, and he must be a man of good character, with a reputation for honesty, probity, and good demeanor. The Government is responsible for him, and his license is warrant to his guests that every one dealing with him shall have equal and fair play.

But it is notorious, from ocean to ocean, in our great country, that the guest who refuses to "tip" does not get fair play, just as the competitor, without a rebate, could not get fair play in a rivalry with the Standard Oil trust. The tip is not voluntary; it is extorted. Every guest knows that he will be given a cold potato, tough steak, villainous coffee, impossible toast, and insufferable eggs if he does not bribe the menial who waits on him. It is called infamous to bribe an appropriation through Congress to discharge a just debt owed by the Government. The creditor has a right to his debt without fee or reward to anybody, and the guest of the hotel has a right to his dinner without fee or reward to a waiter if his credit is good at the clerk's desk.

But this tipping will not be abolished. There is too much mingled vanity and cowardice in the land for that. Yet it should be regulated, and it would be well enough to begin it in this very town of Washington, D. C.

The Washington Times, under "Pass the antitipping bill" headline on February 12, 1907, contained the following editorial:

Representative MURPHY, of Missouri, has had the courage to put into legislation the convictions most of us hold secretly. His antitipping bill is no joke. It is only an honest and wholly praiseworthy effort to directly correct an abuse—a character-destroying, debasing, fraudulent abuse—which has developed indirectly and saddled itself on the country as a curse.

The tip strikes both at him that gives and him that takes.

We all know either the sense of smothered protest or the cheap pride with which it is given. In the one case we are paying twice for being served. In the other we are indulging the littlest, most fatuous, most contemptible pride in making a show of our ability to give a fellow-man, one like us, a free-born American citizen, a dime or a quarter. In either event we are loser by the operation.

But the tip is more an evil when viewed from the standpoint of him that takes it. He is performing a known service. He is ostensibly an employee of the hotel or café where he works. His pay is included—generously—in the prices on the menu card. It is an honest service, and is paid for honestly. But where the tip flourishes this man will bow and scrape, wipe off invisible crumbs from the cloth, fill your glass when you don't care to drink, make a menial and a lickspittle of himself, and then with mock humility hold out his hand like a beggar at the corner. The whole transaction is hypocritical, un-American, and unmanly.

Of course, there will be a defense of it, and some waiters will not hesitate to come forward in its behalf. Well, there is nothing to prevent men from selling their American birthright if they choose. Nor is there any way to make men refuse to pay twice for the same thing by moral suasion. But there can be no question that neither such a waiter (with his total lack of self-esteem) nor such a patron (with his petty, stuck-up sufficiency in his pocketbook) ought not to be allowed to corrupt others.

That, from a casual reading, is the foundation of Mr. MURPHY's bill to prevent tipping in the District of Columbia. Similar legislation has been enacted for other jurisdictions, including this Representative's home State, and so far found to be not any more ridiculous than the railway rate bill or any other reform. This bill, or another of the same purpose, ought to pass, and that speedily.

One evil, Mr. Chairman, results in another. In other words, one crime leads to another. A man who will steal or rob will kill. I can remember in my own State, Missouri, in the city of St. Louis, some time ago, one waiter shot another in a café, resulting from a quarrel over a tip. The following special appeared in the Washington Post last Thursday:

NEW YORK, *February 13*.

Mannie Frey, special policeman, died in the Gouverneur Hospital this morning from a bullet wound in his head. Gustave Weir, another special policeman, is locked up. Frey was shot just after midnight outside a dance hall at 180 Suffolk street.

Mannie Frey lived at 82 Second street, and was stationed in front of the Café Liberty, or Little Hungary, on East Houston street. Weir was on duty at 180 Suffolk street, and lives at 441 East Ninth street.

There had not been the best of feeling between the two policemen. They fell out about which one should call the carriages for the guests of the Little Hungary, and as there was some profit in this in the way of tips for the successful one, there was much rivalry between them. Weir's post was just around the corner from Frey's, and it seems that Frey thought he was interfering with the source of his tips. There was a violent quarrel between them over this.

Frey was walking along Suffolk street about midnight when he encountered Weir. They went up the alley, and there they became involved in an argument. What they said may never be known, but before long there was a shot and Frey fell forward on his face. A bullet had plowed through his cap into his forehead, carrying away part of the insignia of his cap.

Is this character of legislation new? The States of New York and Wisconsin have laws against tipping. Nebraska has an antitreating law. The following special which appeared in a Washington paper on January 1 last might be interesting:

LONDON, *December 31, 1906*.

Great Britain has a new crime, or will have on January 1, 1907. Hitherto the law has not leaned too heavily on the givers and the receivers of bribes, but now an act has been adopted somewhat similar to the "antitipping" act of the State of New York.

Why, Mr. Chairman, in not a State in this country can we tip a voter at an election, a judge for rendering an opinion, a juror for deciding a case, a legislator for casting a vote, a sheriff or official for doing or not doing certain acts. We prohibit many of these things by act of Congress. In this body we cry loud and long about discriminations, and pass laws to prevent them. Is there a more unjust discrimination for a man of wealth to receive "proper attention and courteous treatment" against his less-fortunate fellow-man stopping at the same hotel, paying the same rate of charges, because of a lavish display of his wealth? The railroad rate bill was enacted for this very principle. But, oh, some say the law is unconstitutional. You can't interfere with personal liberties. You can't prevent me from giving away my own money; just as well try to prevent Carnegie from giving away libraries.

Mr. Chairman, a man can do as he pleases so long as he does not interfere with another's personal liberty or welfare or infringe upon the rights of others. Let a man put on female attire and walk down Pennsylvania avenue. What would be the result? Arrest and punishment. Burn your own house, and you are amenable to the law for arson. Attempt suicide, and you are confined in some character of asylum. Do anything that has an evil tendency, and the law meets you with a punishment, and laws of such character are being passed every day. Laws in some jurisdictions forbid the giving away of whisky and certain drugs, and even extend to cigarettes. Carnegie can establish and endow libraries throughout the world; but he could not legally establish or endow a brothel or a bawdy house in a single civilized community, however remote it might be; he could not establish nor endow a saloon or a tippling shop in Maine or Kansas. Laws, Mr. Chairman, are founded on justice. It was never my idea of justice that one man should be permitted to put his hand into another's pocket and take that which did not belong to him, and when you permit this evil and pernicious system of tipping you sanction that very thing and give one man an advantage over another. Pass a law of this character and you will do more to make this a greater Washington than anything else you could do. In Chase's Theater, in Washington, you are greeted with this admonition:

Positively no fees of any kind are permitted in this theater, as everything is free after purchasing your ticket.

What do we find there? Proper attention and courteous treatment; a ladies' reception room, with maid in charge, with remedies for sudden illness or slight indisposition; gentlemen's room, with porter in attendance, where every care and attention is given to patrons, including the polishing of shoes; public writing desk, with stationery, daily newspapers, current magazines; messenger and carriage calls for patrons; in case of rain umbrellas are loaned. No tips allowed for anything. What is the result? Every afternoon and night the theater is crowded with the very best people living in and coming to Washington. Pass this bill, and Washington will be known from the Lakes to the Gulf and from the Atlantic to the Pacific as a place where graft and bribery do not hold full sway in public places.

It is said, Mr. Chairman, that France can not be judged by Paris, nor England by London; but this great country of ours ought to be judged by its capital and as the one spot under the shining sun where there is "a square deal for every man," be he rich or poor.

Mr. MOON of Tennessee. I now yield to the gentleman from Texas [Mr. GILLESPIE].

Mr. GILLESPIE. Mr. Chairman, I want to call the attention of the House to a resolution—a concurrent resolution—passed recently by the Texas legislature. The resolution is a request to the Congress to enact such laws as will enable the Federal Government to enter into such trade arrangements with foreign nations as will afford the best possible market for live stock and its products and farm products of this country, and expressing entire confidence in the President of the United States relative thereto.

This expression of confidence in the President of the United States I desire to call the attention of the House to. There is another expression in this resolution that I would direct the attention of the House to, and it is this:

That the law fixing these schedules—

That is, the tariff schedules—

may be safely modified so as to afford a consideration for making such trade agreements with foreign nations without any injury to the just rights of the industries of this country which are *entitled to protection.*

The point is that the Texas legislature goes upon record that there are certain industries in this country which are *entitled to protection.* Another feature of the resolution is this: They want to empower the President of the United States, "as a consideration for such agreement, to grant, give, and make such concessions and modifications in the tariff schedules on articles of commerce as will enable this Government to secure the most favorable trade relations," etc.

They want this power placed in the hands of the President of the United States.

Now, Mr. Chairman, according to the Texas legislature, here is the great live-stock interest and the farming interest of Texas expressing entire confidence in the President of the United States. The protected interests of this country also have entire confidence in the President of the United States. Why, the steel trust has confidence in the President of the United States. The American woolen-goods trust has confidence in the President of the United States. The leather trust, the lumber trust, and all the stand-patters in this country have entire confidence in the President of the United States that he will not permit the Dingley tariff rates to be interfered with in any manner. Now, here are the live-stock interests and the farming interests of Texas, if these resolutions properly express it, also having entire confidence in the President of the United States. I want to suggest that there is a misplaced confidence somewhere. Either the farming interest and live-stock interest are mistaken in their confidence in the President or the trust interests are mistaken. I want to suggest to the Texas legislature that, in my opinion, their confidence in the President of the United States along these lines is entirely misplaced and that the confidence of the trusts is well founded. Mr. Chairman, it is my opinion that those of this country, and certainly I am one of them, who believe in freer trade relations with all the world and larger world markets for the product of farm, pasture, factory, and mine will make a mistake when they seek relief through special trade agreements and abandon a general assault all along the enemy's lines. You can not reduce a single Dingley tariff schedule by a trade agreement that you can not reduce by a general tariff revision. I call attention to the situation with reference to Germany. Now, Germany has a surplus of refined sugar. We need that surplus and have to pay for it with the tariff added, largely for the benefit of the sugar trust. Now, Germany needs our food products, meat, flour, etc.

Now, if you undertake to reach this situation with a special trade agreement, what opposition do you find? The sugar trust, and this trust calls to its aid all the other trusts fed and sustained by the Dingley rates, notably the steel trust, the leather trust, the farming implements trust, the lumber trust, and the others. They all make common cause. This is abundantly proved by the failure of the trusts to carry out the express promise of the Dingley law—that its high rates should be reduced by reciprocity treaties. All efforts at reciprocity have been scorned by the trusts. Their programme is the President's programme; it is the stand-pat programme. I repeat, our only hope is general charge all along the line for juster and lower tariff rates.

It may be true that the principle of protection is so embedded in our policy as that it can not be overthrown, but there is such a thing as greater justice and equity in protection, which is being demanded now all over the country, and it is only through the success of this movement that any hope is offered for extended foreign markets or for any justice and equity to be meted out to our farmers and stockmen, who have been all too long so unjustly weighted down with tariff exactions. I ask that this resolution and the letter accompanying it be printed as a part of my remarks.

The letter and resolutions are as follows:

HOUSE OF REPRESENTATIVES,
STATE OF TEXAS,
Austin, February 15, 1907.

Hon. OSCAR W. GILLESPIE,
House of Representatives, Washington, D. C.

DEAR SIR: Herewith I inclose you house concurrent resolution No. 7, adopted by the house and senate.

Very respectfully,
BOB BARKER,
Chief Clerk, House of Representatives,
Thirtieth Legislature of Texas.

House concurrent resolution No. 7, requesting Congress to enact such laws as will enable the Federal Government to enter into trade arrangements with such foreign nations as will afford the best possible markets for live stock and its products and farm products of this country, and expressing entire confidence in the President of the United States relative thereto.

Resolved by the house of representatives (the senate concurring), That

Whereas the live-stock producing interests of the United States are suffering material loss by reason of the fact that they are practically deprived of access to the markets of continental Europe for the sale of live stock; and

Whereas there is no provision of law authorizing the administrative departments of the Government of the United States to make any trade agreements with foreign nations favorable to an extension of our foreign trade in live stock and the products of live stock, as well as other products of the farm and ranch; and

Whereas it is the belief of the farmers and live-stock raisers of this country that it is competent for Congress to pass a law or laws which will empower the President of the United States, as a consideration for trade agreements with foreign countries, to grant such concessions in the schedules of tariff on articles imported or to be imported from such foreign countries into the United States as will enable this Government to make trade agreements which will admit to the commerce of such foreign countries the products of the farms and ranches of this country without reasonable restrictions; and

Whereas we believe that the foreign trade in the products of the farms and ranches in this country has been sacrificed by the inauguration of schedules of tariff on manufactured articles, and that the law fixing those schedules may be safely modified sufficiently to afford a consideration for making such trade agreements with foreign nations without any injury to the just rights of the industries of this country which are entitled to protection; and

Whereas that fair protection which the law should afford, but which unhappily it does not afford, to the live-stock and farming interests of this country should and must be in the main that class of protection which prevents the closing of the markets of the world to the products of the farm and ranch; and

Whereas the live-stock producing interests of this country are coextensive with its farming interests, and the prosperity of the live-stock and farming interests of the country is the basis of the prosperity of the nation, and entitled to as much consideration on the part of the Government as any other interest in this country, which they have not received; and

Whereas the live-stock and farming interests of this country demand equal opportunities, fair treatment, and a "square deal:" Now, therefore, be it

Resolved, That we request on the part of the Congress of the United States the enactment of such laws as will enable the Government of the United States to enter into trade arrangements or agreements with such foreign nations as will afford the best possible market for the live stock and its products, as well as other farm products, of this country, and to that end that it empower the President of the United States, as a consideration for such agreements, to grant, give, and make such concessions and modifications in the tariff schedules on articles of commerce as will enable this Government to secure the most favorable trade relations with foreign countries in the live stock and the products of live stock, as well as other farm products of this country, while preserving the just rights of every interest involved; and further be it

Resolved, That, expressing our entire confidence in our President, Theodore Roosevelt, we respectively urge him to present to Congress in his next annual message the just and reasonable demands and needs of the live-stock products and farming interests of this country to the end that there may be fairly laid before Congress our demands for a fair opportunity to seek the markets of the world with our products; and further be it

Resolved, That the chief clerk of the house of representatives be directed to send a copy of this resolution to the President of the United States and a further copy be furnished the Speaker of the House of Representatives and the President of the Senate of the United States, besides sending same to each of our Texas Congressmen and Senators.

BRYAN.
DUNCAN.
POOL.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FREDERICK LANDIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed joint resolution and bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 92. Joint resolution authorizing the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point;

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904;

S. 7903. An act granting an increase of pension to Catherine De Rosset Meares;

S. 8511. An act granting a pension to George L. Dancy;

S. 8508. An act granting an increase of pension to Miranda W. Howard;

S. 8314. An act granting an increase of pension to James P. Worrell;

S. 7993. An act granting an increase of pension to George E. Purdy;

S. 7283. An act granting an increase of pension to William T. Cooper; and

S. 1217. An act for the relief of the estate of Henry Ware, deceased.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the concurrent resolution (S. C. Res. 48) to correct the military record of John McKinnon, alias John Mack.

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

H. R. 5290. An act providing for the allotment and distribution of Indian tribal funds.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. MOON of Tennessee. Mr. Chairman, I yield to my colleague.

Mr. PADGETT. Mr. Chairman, I desire to use the few minutes to call attention to a practice that seems to prevail in the House against which I want to protest. At the beginning of the session, when the rules are adopted, the Committee on War Claims is named; and the rules provide that one Friday in each month shall be devoted to the consideration of bills on the Private Calendar from the War Claims Committee. I have now been in this House for six years, and it is my observation that the War Claims Committee does not receive fair and courteous treatment. Bills reported from that committee are smothered in effect. It seems that either an adjournment is taken over that day, a special rule is adopted for that day, or something else, so as to crowd out the War Claims Calendar; and if, perchance, we get an occasional day, a systematic filibuster deprives us of all results.

It is not so with other committees. The other day we passed about 700 pension bills in about two hours. We devoted a whole day to the consideration of one bill on the War Claims Calendar and accomplished nothing. Now, I am for pensions. I believe they are just. It may be that they have become a fad in this House; it may be that they are carried to an extreme, but I am not here to protest against that. I am here, however, to insist that the business from the War Claims Committee shall hereafter receive the same courteous consideration and treatment that is accorded to business coming from other committees. The gentlemen composing the membership of that committee are just as worthy of the presumption of honest purpose and integrity of action as that which is accorded to any other committee, and I want to give notice and place it upon the record that I shall for this session waive the rights that I have under the rules; but at the next session of Congress, if there is a substantial business upon the War Claims Calendar and it is sought to smother it, after that day "Jordan will be a hard road to travel" for legislation in this House. [Applause.] I want to serve notice on those in authority, the Speaker, the Committee on Rules, and those who have the management of affairs, that business on the War Claims Committee at the next session of Congress must receive just and fair consideration, and if it is denied, then legislation in this House on all propositions will have to be in strict accordance with the rules. A word to the wise is sufficient. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I desire to inquire of the Chair how much time is still unconsumed on this side? It was understood that there was to be an equal division of the time to-day.

The CHAIRMAN (Mr. MCGAVIN). The gentleman has used twenty-two minutes so far this morning.

Mr. MOON of Tennessee. How much time have we?

The CHAIRMAN. The general debate closes at 4 o'clock.

Mr. MOON of Tennessee. I desire the Chair to take control of the time which is left to this side of the House.

Mr. OVERSTREET of Indiana. My recollection is that this morning I yielded only about thirty minutes. The gentleman has yielded how many minutes?

Mr. MOON of Tennessee. I understand, twenty-two minutes.

Mr. OVERSTREET of Indiana. That is practically an equal use of the time thus far.

Mr. MOON of Tennessee. It is immaterial as to the exact number of minutes.

The CHAIRMAN. The gentleman has about one hour and thirty-five minutes.

Mr. MOON of Tennessee. So many requests have been made for time that I find it impossible to proceed with this debate along intelligent lines in the discussion of the bill itself without limiting the number of speeches on this side. The minority members of the committee up to this time have not had an opportunity to be heard. I therefore desire that the Chair take control of the time which I have and divide it equally between three members of the committee, recognizing first the gentleman from Missouri [Mr. LLOYD], next the gentleman from Georgia [Mr. GRIGGS], and next the gentleman from South Carolina [Mr. FINLEY], and permit those gentlemen to use all the time which I now have.

Mr. OVERSTREET of Indiana. Mr. Chairman, I should like to state to the gentleman from Tennessee that there are two members of the committee, Messrs. STEENERSON and STAFFORD, to whom I desire to yield, fifty minutes to Mr. STEENERSON and forty-five to Mr. STAFFORD. If we should now use an hour and thirty-five minutes on a side, it would just make the fifty and forty-five minutes for this side.

Mr. MOON of Tennessee. That is entirely agreeable to me, and the gentlemen can alternate in the debate.

The CHAIRMAN. The Chair would suggest to the gentleman from Tennessee that if he should yield thirty minutes to each of the three gentlemen, that would just about consume all the time he has.

Mr. MOON of Tennessee. It is immaterial as to the number of minutes, so it is equally divided. I yield thirty minutes to each of the gentlemen, and request that the gentleman from Missouri [Mr. LLOYD] be first recognized.

Mr. LLOYD. Mr. Chairman, the pending bill carries the largest appropriation ever provided in a post-office appropriation bill. It is astonishing how rapidly the expenses of the postal department have grown. It is equally astonishing to observe how the receipts of that Department have increased. The receipts and expenditures of this great service have doubled within ten years, a very astounding fact.

No branch of the public service directly affects more people than the Post-Office Department. The mail is carried by the swiftest means of transportation to every village and hamlet in the land. It is delivered at the door of the person who resides in the city and at the gate of the farmer in the interior. It finds its way to the far off Alaska and is delivered at or near every mining camp in that undeveloped region. It reaches every part of the Hawaiian Islands and is transported across the seas to the remotest parts of the world. Wherever civilization has blazed the path of progress, wherever men are congregated for business pursuits, and wherever intelligence is sought by an English-speaking people this Government delivers the mail. Not alone is it taken to those of our own tongue, but in every nation and in every clime among all classes of men wherever our Yankee ingenuity has found a hold and has sought to do business among the people mail from the United States is received and delivered.

The amount carried in this bill for the support of the postal system for the fiscal year beginning July 1 next may be summarized in millions of dollars as follows:

Postmasters' salaries	$25,500,000
City letter carriers	24,000,000
Assistant postmasters, clerks, messengers, and janitors in post-offices	28,300,000
Pneumatic-tube service	1,250,000
Rent, light, and fuel in post-offices	3,000,000
Rural mail carriers	33,000,000
Railway mail clerks	17,500,000
Star route service	7,250,000
Railway mail pay and railway post-office cars	49,000,000
Foreign mails	3,300,000
All other items	17,300,000
Total	209,400,000

In last year's law it was provided that rural agents charged with the examination of rural routes should be placed under the supervision of the chief inspector, and thereafter to be known and recognized as inspectors. I was not in sympathy with that merger. I do not believe yet it was wise, although I am gratified to learn how well it has done. The work of the inspector and the rural agent were entirely dissimilar and required different qualifications. The inspectors seem to feel, in many cases, that they are superior officers to the rural agents and treat them accordingly. The rural agents speak of themselves as "step children." The chief inspector does not share in this sentiment and has the confidence and respect of everyone so far as I have information. He would reprimand any officer, I am sure, guilty of encouraging this spirit of superiority. I have no reference to the very excellent inspector who has charge of the work of post-office inspection in my district.

When the rural agents were under the control of the superintendent of rural free delivery, Mr. Spillman, who, in my judgment, is one of the best officials in the Post-Office Department, there seemed to be a disposition to favor the rural agents where it might be done, but at the present many of them feel that much is done to harass and annoy. None of this has been charged against the chief inspector so far as I know. I hope, however, that these imperfections may be overcome and that good feeling and harmonious effort may unify and fraternize these dissimilar elements.

In the short time that is allotted to me I wish to call attention to some particular features of the pending bill. The first is that city letter carriers shall be increased in their salaries and that there shall be a compulsory system of promotion which, in my judgment, is a very important advance. If this bill becomes a law, the clerk in the first-class office who has an efficient record at the end of the first year, as a matter of course, is promoted into the second grade, and receives $100 increase in salary. This is not dependent upon the whim of the postmaster, it is not dependent upon the influence of politicians, but if the individual has discharged his duty he is entitled to promotion as a matter of right; and so it is on up in the first-class office to the clerk having a salary of $1,100. Above that the promotions are dependent, as they are now, upon the individual, but it may be subject to some extent to the influence that may be brought to bear in favor of the particular individual. There is the same provision as to second-class offices, excepting the promotions are to $1,000.

This bill also provides that city letter carriers shall be placed on an equal basis, as far as compensation is concerned, with city clerks, and that they shall be exchanged at the same salary from one grade to a like grade in the other. The bill provides for an increase of salary for both the city clerks and the city carriers. This bill carries an increased appropriation for rural letter carriers. It provides for additional compensation to them of $120 each. At the present time the rural letter carrier who carries mail on what is called the "full route" receives compensation not exceeding $720 per annum. If the provisions of this bill should become a law they will receive a salary not exceeding $840 per annum. The theory of the committee in that regard is that the additional $240 above what the city letter carrier would receive in the first grade, or the city clerk shall receive in the first grade, is accounted for in the $240 additional which the rural letter carrier must expend out of his own pocket for the equipment of his team and for its care and maintenance.

It is intended by this salary of $840 to place the rural letter carrier on an equal basis with the carrier in the city in the first grade. The city letter carrier has an opportunity for promotion. The rural letter carrier has no such opportunity. His salary is fixed. We provide a change in this bill in another particular, which strikes me as being very important. Under the existing law a substitute carrier, or an individual performing the duty of a carrier on leave, is permitted to receive not more than at the rate of $600 per annum. We provide in this bill that he shall receive the same salary as the principal. In other words, we increase that from $600 to $840. Those of us who have been brought in contact with the rural carrier and know something of the important duties devolved upon him and the hardships he has to bear, especially upon the average roads of the Mississippi Valley, are impressed with the fact that it is absolutely necessary that the salary of those carriers shall be increased to something like a reasonable compensation.

I wish now to approach another question which greatly concerns the people of the country—the subject of compensation to the railroads for carrying the mails. By the provisions of the pending bill certain reductions are made which will have the effect of lessening the pay which the railroads will receive for this service. There has been a wild clamor from various quarters demanding reduction in various amounts as high as 50 per cent of the present compensation. I am well satisfied that the system of arriving at the compensation is so intricate that few persons are really advised as to the necessity of reduction. This body should not be led into radical procedure to gratify spectacular newspaper writers or to comply with the suggestions of sensational magazine articles. On the other hand, no man should refuse to make reduction simply because such reduction would affect the profits of the railroad companies. The question that should be determined is whether the present compensation is reasonable and whether it may properly be increased or decreased. Duty should be performed. If it is made clear that the present rate of pay could be reduced 50 per cent without serious injury to the railroads, no one should hesitate to make the reduction in accordance with what is right. On the other hand, if the Government is not sufficiently compensating the railroads for this valuable service, it should not refuse to increase the compensation. No branch of public service means as much, day by day, to the people of the country as the expediting of the mails.

Commercial interests demand at the hands of the railroads that fast mail trains should be maintained and that the mails shall be distributed through the country with the greatest possible speed. They look with suspicion on any movement which might have the effect of crippling this service. The railroad companies have apparently done all in their power to assist the people in obtaining the best possible mail facilities and an expedition not surpassed in any other service. For this extraordinary facility the Government should not fail to give reasonable compensation. It should, of course, permit no extortion on the Government and should fix no rates which would simply have the effect of filling the coffers of the railroads. This question should be considered in a spirit of fairness, and it is my purpose to try to discuss the reduction proposed in this bill in that spirit.

I think it should be admitted that there have been no special means provided for specific information since 1900. At that time a learned commission of superior men was appointed under act of Congress to investigate the subject of railway mail pay and make report to Congress. The commission was composed of Senators Wolcott, ALLISON, Chandler, Martin, and Faulkner, and Representatives Loud, Catchings, Fleming, and Moody. The commission, after exhaustive hearings covering a long period of time, assisted by an expert accountant, Prof. H. C. Adams, of the University of Michigan, made report of their inquiry into the subject in three large volumes, and after careful consideration of all the information which they could gather both from the railway experts and Government officers who appeared before them, seven of the nine members reported that there should be no reduction in railway mail pay. Their report was expressed in these words:

> Upon a careful consideration of all the evidence and the statements and arguments submitted, and in view of all the services rendered by the railroads, we are of the opinion that the prices now paid to the railroad companies for the transportation of the mails are not excessive and recommend that no reduction thereof be made at this time.

Mr. Moody, now Supreme Court justice, in a separate report concurred in the views above expressed, but amongst other things stated:

> When the Commission was created it was supposed, upon the faith of statistics furnished by the Post-Office Department itself, that the average cost of the transportation of a pound of mail was 8 cents and that the average rate paid to the railroads for mail matter was 6.58 cents a pound; that the average railway haul was 328 miles, and that the average rate paid to the railroads was 40 cents per ton per mile. Public-spirited citizens, accepting these statistics as accurate, not unnaturally protested that they demonstrated that the railway mail pay was excessive.

In this connection I wish to say that in 1898 I addressed this House on the subject of railway mail pay and based my argument upon the statements just quoted from Justice Moody and took the position then that railway mail pay should be greatly reduced; and if these statistics were true, the present demand for a 50 per cent reduction would not be unreasonable. But what are the facts in this matter? I quote again from Justice Moody in his report:

> It appeared that the average rate paid to the railroads for mail matter was 2.75 cents, in stead of 6.58 cents; that the average railway haul was 438 miles, instead of 328 miles, and that the average rate paid to the railroads was 12.567 cents per ton per mile, instead of 40 cents per ton per mile; that such changes in the accepted bases of reasoning should profoundly affect the discussion of the question.

Justice Moody could well make this statement, because the facts would no longer warrant the demands which had been made for reduction of pay, and the proposition to reduce became a more seriously vexed one, and certainly less cause was manifest for any reduction.

Mr. Fleming and Senator Chandler, of the Commission, indorsed the suggestion made by Prof. H. C. Adams that notwith-

standing the development had been such as to show but slight if any, excessive pay that there might be a flat reduction in present rates of 5 per cent and a reduction in addition above 5,000 pounds of from 1 to 12 per cent, graded upward on a scale of weights. The report of the Commission made in 1900 seems to have been accepted as final, and no attempt has been made to reduce railway mail pay until this session of Congress. It is true that speeches have been made in favor of it, that the country's attention has been riveted upon it by newspaper articles, but no definite effort had been made to secure the result.

The Postal Commission appointed last summer by act of Congress to investigate postage rates, composed of the following persons, Senators PENROSE, CARTER, and CLAY and Representatives OVERSTREET of Indiana, GARDNER of New Jersey, and MOON of Tennessee, in their report recently made, say:

There is also a widespread belief that the high total cost of the postal service results, in some degree at least, from what is regarded as overpayment to the railways for mail transportation. Much of the controversy as to a proper charge for second-class matter has raged around the question of railway mail pay. So far as this Commission has felt it to be within its authority it has endeavored to formulate just conclusions as to the merits of that controversy. It has accordingly recommended in this report a reduction of mail pay upon dense routes where the great volume of second-class matter permits economies in transportation, and it has also recommended the elimination of return empty bags from the computation of weight.

In their recommendations they suggest a reduction of 5 per cent from existing rates between 5,000 and 48,000 pounds of mail, 10 per cent between 48,000 and 80,000 pounds, and designate a flat charge of $18 per ton above the weight of 40 tons. The Post-Office Committee have embodied the same provision in this bill, as suggested by the Commission, excepting that $19 per ton may be paid above 80,000 pounds.

It will be observed that no change in compensation is suggested where the average daily weight of mail is less than 5,000 pounds. There seems to be no demand for such reduction. The impression seems to be that the mails carried in small quantities do not demand decreased pay. This was the opinion of the Postal Commission, as shown by its recommendation, and the pending bill makes no reduction under 5,000 pounds weight. Attention might very properly be called, however, to the compensation which the railroads receive for carrying these smaller amounts of mail. In pay per pound they receive much larger compensation than where greater weight is carried. I submit herewith a table which fully illustrates this statement. In it will be found a statement of the daily weight in pounds, yearly weight, amount of pay per mile, daily pay per mile, and the number of pounds carried 1 mile for 1 cent. This makes an interesting table and shows some strange facts. For example, in the pay for 200 pounds weight the railroads receive compensation of 1 cent for every 17 pounds of mail carried 1 mile, while on a train where 80,000 pounds are carried 365 pounds are carried 1 mile for 1 cent. The table follows:

Daily weight in pounds.	Yearly weight.	Annual pay per mile.	Daily pay per mile.	Number of pounds for 1 cent 1 mile.
			Cents.	
200	73,000	$42.75	11.7	17
500	182,500	64.12	17.5	28
1,000	365,000	85.50	23.5	42
2,000	730,000	128.25	35	58
5,000	1,825,000	171.00	47	106
48,000	17,520,000	630.45	1.73	280
80,000	29,200,000	801.37	2.19	365

If passengers were carried on weight basis, it might be interesting to note the comparison with the mail, and the result would be novel, I am sure. The average weight of a passenger is supposed to be 140 pounds. He is permitted to carry 150 pounds of baggage, making a total weight of passenger and baggage 290 pounds. This is carried almost anywhere in the United States for 3 cents. This is 25 per cent less weight and three times the compensation that would be paid for carrying the mail over the heavy traffic roads; but where only 200 pounds of daily mail are carried the passenger gets the best of the bargain, for he has a mileage weight seventeen times as great, but only pays three times as much for it.

Mr. CLARK of Missouri. I would like to ask my friend if there is anything in this bill that fixes the price of passenger rates by weight?

Mr. LLOYD. No, sir.

Mr. CLARK of Missouri. If there is, I object to it. [Laughter.]

Mr. LLOYD. My friend is afraid he will go beyond the limit and have to pay more than the ordinary passenger on account of his excessive weight. He and I would travel somewhat under the same conditions, because we would have to pay pretty nearly the same amount of excess.

Last year the railroads carried 739,000,000 passengers and received $472,000,000 for their transportation. They carried each passenger an average of 32 miles at 2 cents per mile. This on a weight basis would be 145 pounds carried 1 mile for 1 cent.

There was carried 1,100,000 and more tons of mail, and the Government paid $44,490,000 for its transportation. This would be a little over $40 per ton, or about 200 pounds 1 mile for 1 cent for last year.

There has been an attempt to compare express charges with mail transportation, and perhaps it is the nearest to a complete comparison, because mail and express are frequently carried in the same train and under the same circumstances. But it is almost impossible to make a correct comparison between them. The gentleman from Pennsylvania [Mr. SIBLEY] in a speech that he made on Saturday called attention to a comparison between mail charges and express charges. It is a very interesting comparison, but I think that the explanation that he gives shows beyond question that more is paid for carrying the mail than for carrying express. I quote from the table which he presented:

Table showing and comparing rate received by railways per hundredweight for transportation of United States mail and rates received for the carriage of express business between points named below.

	Distance.	Mail.	Express (estimated).
		Rate per 100 pounds.[a]	Amount actually received.[b]
New York to—			
Buffalo	440	$1.58	$1.16
Chicago	980	3.57	2.592
Omaha	1,480	5.38	4.89
Indianapolis	906	3.27	2.57
Columbus	761	2.49	2.06
East St. Louis	1,171	4.38	3.50
Portland, Me	347	1.33	1.22
Chicago to—			
Milwaukee	85	.34	.404
Minneapolis	421	1.83	2.00
New Orleans	922	5.27	3.165
Detroit	284	1.34	.75
Cincinnati	306	1.20	1.07
Cincinnati to—			
St. Louis	374	1.61	1.31
Chicago	306	1.20	1.07
Cleveland	263	1.26	.92

[a] Allowed railroad companies under last weighing, including the cost of railroad post-office cars.

[b] By railroads per 100 pounds on all classes of business carried for express companies, including heavy merchandise, fish, live stock, fruit, machinery, etc.

This table which has been furnished by the railroad companies is based upon the statement made by Mr. Julier, of the American Express Company, who is supposed to be the best expert on express rates there is in the United States, and who appeared before the Wolcott Commission in 1899 and gave testimony there. He then put this table which is quoted here in his remarks. It showed that beyond question more is paid per 100 pounds for carrying mail than is paid for carrying express. So that if there is anything in the comparison at all between the carriage of mail and the carriage of express, it shows that if the railroad company can afford to carry the express at the present compensation, then there ought to be a reduction in railway mail pay. The suggestion embodied in the proposed amendment that was voted upon yesterday, providing that there shall be a reduction in weight between 5,000 pounds average daily weight on 48,000 pounds of 5 per cent, and above that 10 per cent, and excepting land-grant roads above a daily average of 48,000 pounds, is a good provision as far as it goes as to daily weight. I want to call attention, however, in this connection to one thing with reference to that amendment. It provides that land-grant roads may be excepted where they have an average daily weight of 48,000 pounds, but if their average daily weight is between 5,000 pounds and 48,000 pounds there must be a 5 per cent reduction.

This seems to me entirely unfair to the smaller roads and a benefit that is specifically given to the greater roads. If the land-grant road has mail furnished to it to such an extent as that it will carry daily over 48,000 pounds, it ought to receive greater reduction rather than less. The roads that ought to be cared for, if either of these classes are selected, in my judgment are the land-grant roads whose daily carriage of mail is between 5,000 pounds and the 48,000 pounds rather than the roads whose daily average weight of mail is beyond the 48,000 pounds, but in my opinion all land-grant roads should be ex-

cepted from the reduction because they now only receive 80 per cent of full railway pay.

One of the most perplexing problems in connection with the Post-Office Department is the ascertainment of a correct system for the determination of compensation to the railroad companies for carrying the mails. The present law has been in existence for over thirty years. It has been attacked at various times by those who are not satisfied with it; other methods of ascertaining have been suggested, but during this long period of time no other method has had any considerable support in either branch of Congress. The interpretation of that law by the Post-Office Department has been upheld by numerous law officers and all the Postmasters-General during that time. The law seems to be rather a strange one. It is based upon the idea that the weight of mail should determine the compensation for its carrying. The vigorous attack recently made by the gentleman from Kansas [Mr. MURDOCK] upon the system as it is now carried out is, in my judgment, without foundation in so far as it may reflect upon the administration of that law. The gentleman is correct, as I believe, in demanding a change of the law, but I do not believe that the Postmasters-General of the past are responsible for any loss to the Government by reason of their interpretation of existing law.

The Postmaster-General is required to have the mail weighed for not less than ninety successive working days. This is done to obtain a daily average weight which shall serve as the basis of computation in ascertaining the amounts to be paid to the railroads. The weights during the weighing period are added together and their sum divided by ninety, the number of working days, to secure the average daily weight. On this average, thus secured, computation is made for the amount of compensation to be paid to the railroads for carrying the mail. It will be observed that the law directs the weighing during ninety successive working days. Why use the word "working?" Plainly to distinguish it from a day not a working day. What is that day? It would seem to me that anyone must answer "Sunday." The Department has construed Sunday as a rest day and have omitted it from the weighing period. The time required to secure ninety working days, if Sunday is not counted, will be one hundred and five days, but since there have been only ninety days on which mail has been weighed to obtain the correct daily weight under the law, the divisor must be ninety, the number of working days.

Confusion has arisen, however, over the Sunday mails and their relation to the weighing period. At the time the law was enacted there were but few, if any, Sunday trains, so that it is probable that the word "working" was used intentionally, and because of the fact that no mails were carried on that day. At the present time many railroads carry mail on Sunday, while others do not. How shall those roads be treated, and their compensation ascertained, which accommodate the public by carrying mail on Sunday? If the mail carried on that day is not weighed, then the road that has no Sunday train will secure the advantage and receive the greater compensation, because its mails are accumulated on Sunday and will be included in Monday's mail and weighed as a part of it. No one, of course, would contend that the road which gave the Sunday service should be punished by the Government by reduced compensation for so doing. It is probable that this difficulty was not contemplated when the law was enacted. But the condition has to be met in the construction of existing law. The mails have been weighed on Sunday, which were carried on Sunday, but such weighings have been counted in and made a part of Monday's mail, just as it is added by accumulation when there is no Sunday train. Under the present interpretation the mails accumulating on Sunday and the mails carried on Sunday are both included in Monday's weighing. No fairer disposition of it could be made under existing law, and it seems to me no more reasonable interpretation of the existing statute could have been given.

By the pending bill it is proposed to omit the word "working" from the present law and to require mail to be weighed for one hundred and five successive days. If this provision should become a law, then the mails will be weighed each day without reference to whether that day is a working day, and the divisor will be 105, where heretofore it has been only 90, and, as anyone can see, will very seriously diminish what purports to be the daily average and will furnish what is, in fact, a correct daily average.

It is now provided that the mails shall be weighed once in every four years, and that weighing secures a daily average which serves as a basis of pay from the 1st day of July thereafter for four successive years. In order to be fair and obtain a correct basis for mail pay there should be an estimate of weight for each successive year and a provision made for that estimate to become a basis of weight for the succeeding year. The mails are enlarging in bulk rapidly, and the weights are so greatly increasing, that it is apparent that in the second, third, and fourth years, under the present system, there will be a large amount of mail for which the railroad companies will receive no compensation, if the law is changed so as to leave out the word "working." There is no provision in the proposed change in the law for payment to the railroads for the increased weight of mail during the latter part of the quadrennial period, although they are required to carry the increased mail.

The second-class mails are weighed each year. We can easily, therefore, determine the extent of increase of that class of mail. I submit herewith a statement of these weighings and their percentage of increase commencing with the year 1900:

Year.	Weight of mail.	Per cent of increase from 1903.
	Pounds.	
1900	382,538,999	.....
1901	429,444,573	.....
1902	454,152,359	.....
1903	509,537,962	.....
1904	569,719,819	12
1905	618,664,754	21
1906	660,638,840	31

From this table it may be seen that if the weight of second-class mails for the year 1903 were taken as the basis of weight and if all other mail increased in the same proportion from time to time, then there should be added 12 per cent to that weight to secure the basis of pay for 1904, 21 per cent to secure the basis of pay for 1905, and 31 per cent to the weight to secure the basis for 1906. In other words, on this computation on actual weights the railroads carry, without compensation, a very large per cent in the three last years of the quadrennial period.

Another computation may be made which will throw some light on the proposition by showing what is the increase in the gross revenues for the same period. This is as follows:

Year.	Revenue.	Per cent of increase from 1903.
1903	$134,224,443	.....
1904	143,582,624	7
1905	152,826,585	13
1906	167,932,782	25

This table is not given for the purpose of showing that the railroads actually carried 25 per cent more mail in 1906 than in 1903, but this rapid increase in postal receipts was brought about by the handling of largely increased amounts of mail, and it may be therefore naturally inferred as a reasonable deduction that the mails were 25 per cent greater in weight in 1906 than they were in 1903.

A careful investigation of the reports of the Post-Office Department showing the average daily weight of mail on the various railroad routes i nthe United States at the last weighing period, and the one for four years preceding it, fully bear out the statement that the weight of mail has increased more than 25 per cent between these weighing periods. If the law were changed so as to omit the word "working," then the railroad companies would receive no compensation for carrying this 25 per cent increase. I call attention at this time to the average daily weight of mail on various roads at the several weighing periods, with the increased per cent during the period:

New York Central, between New York and Buffalo:

	Pounds.
1901, daily weight of mail	315,251
1905, daily weight of mail	411,838

This shows an increase of a little over 30 per cent.

Next I call attention to the mail between Philadelphia and Pittsburg, carried on the Pennsylvania Railroad:

	Pounds.
1901, daily weight	270,078
1905, daily weight	362,006

An increase on this route of 34 per cent.

Boston to Troy, N. Y.:

	Pounds.
1901, daily weight	12,359
1905, daily weight	15,428

Increased per cent, 25.

Cincinnati, Ohio, to Chattanooga, Tenn.:

	Pounds.
1900, daily weight	19,097
1904, daily weight	24,108

Increase, 26 per cent.

St. Louis to Kansas City, by way of the Wabash Railway:

	Pounds.
1899, daily weight	34,451
1903, daily weight	41,353

Increase, 20 per cent.

Kirkwood, Mo., to Texarkana, Tex., over the Iron Mountain Railway:

	Pounds.
1902, daily weight of mail	52,384
1906, daily weight of mail	78,081

Increase, 49 per cent.

Denver to Cheyenne:

1902	6,978
1906	11,962

Increase, 71 per cent.

San Francisco to Ogden:

1902	65,912
1906	99,110

Increase, 51 per cent.

These conditions as shown on these several important railroads show an increase in the quadrennial period of more than 30 per cent. If the proposed change in the law, omitting the word "working," is insisted upon I shall offer at the proper time, if I am permitted, an amendment which, in my judgment, will about correct this error in weight, and will have the effect of paying the railroads for all the mail they carry and will insure to the Government no greater outlay than is necessary to pay for the actual mail carried. It is as follows:

Provided further, That the average daily weight of mail secured by law for the purpose of determining the compensation to the railroads for each four-year period beginning with the 1st day of July thereafter shall serve as the basis of compensation for only one year thereafter; that at the end of said year there shall be added 8 per cent to the daily weight of the mail to serve as the basis of compensation for the second year of said four-year period; that at the end of the second year there shall be added 16 per cent to the daily average weight of the mail as originally ascertained to serve as the basis of compensation for the third year of said four-year period; that at the end of the third year there shall be added 24 per cent to the daily weight of the mail as originally ascertained to serve as the basis of compensation for the last year of said four-year period.

The percentage of increase suggested by this proposed amendment is slightly less than the actual percentage of increase in second-class mail matter. It is about proportionate to the increase in postal receipts, and is less than the actual percentage of increase shown between the last periods of weighing. Exact justice should be shown between all parties as nearly as possible. If we are to accept the weight of mail as a correct basis of pay, then the railroads should receive compensation for every pound of mail matter carried, but should not be paid for that which is not carried. If the daily average is made on successive days—as, in my judgment it should be—then the existing law should be so changed as to secure to the railroads each year compensation for all the mail carried by them, and the suggested amendment of increase for each succeeding year of the quadrennial period fully accomplishes it and should be incorporated in the law.

It will be observed, however, that if the word "working" is omitted and the amendment made which I suggest, it will but slightly affect the existing result. In other words, the present law, with the interpretation given it by the Department, secures a very nearly correct basis, if weight of mail is to be the determining factor.

The four gentlemen of the Post-Office Committee who sign the minority report give a hypothetical case to illustrate the injustice of the change by leaving out the word "working," as follows:

365 tons, 730,000 pounds ÷ 313 = 2,332 pounds per day for	$132.52
365 tons, 730,000 pounds ÷ 365 = 2,000 pounds per day for	128.30

The road performing the Sunday service receives $4.22 per mile less than the road resting on Sunday.

This is erroneous. If the word "working" is omitted from the law, then, whether the mail is carried one day, three days, six days, or seven days, the divisor is the same, "seven." You divide the weight of the week by the number of days in the week to find the average daily weight for the week. Then if the mail has been carried seven days the railroad is entitled to full pay. If it has carried it only six days, it is entitled to six-sevenths of a week's pay. If it has carried mail three days, three-sevenths, and if only one day, then it is entitled to one-seventh as much pay as if it had carried it every day in the week.

Now take the above illustration and correct it:

365 tons, 365 days, 2,000 pounds per day, for	$128.20
365 tons carried in 313 days, or six times per week, for	109.89
365 tons carried in 156 days, or three times per week, for	54.94
365 tons carried in 52 days, or one time per week, for	18.31

By this system if a railroad carries mail on Sunday it gets the same compensation for that day as for carrying the mail on any other day, but the road that does not carry on Sunday loses the benefit from Sunday's accumulation of mail.

If I had time I would be pleased to go into detail and explain more at length the system of weighing and make further illustrations which would make plain the present system and the remedy that might properly be applied. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. OVERSTREET of Indiana. Mr. Chairman, I yield fifty minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman and gentlemen of the committee, I want to say at the outset that when I come to the question of the divisor I should be glad to have any gentleman ask me any question pertinent to the subject, and will yield if I can get time to answer.

In the first place, Mr. Chairman, I want to congratulate the House and the country upon the presentation of a post-office appropriation bill which, although not free from defect, is, in my humble opinion, the most meritorious and fairest appropriation bill ever presented to Congress. The merit of this bill does not consist entirely in what it contains. Its merit consists to a very large degree also in what it omits, for I call the attention of the House and the committee to the fact that this bill omits the hoary-headed special-facilities subsidy iniquity that was with us for lo, so many years and which had such a narrow escape at the last session of Congress when the appropriation bill was up that a Member had to be voted who was a thousand miles away from the Capitol, and I think that had a recapitulation of the vote been properly asked for the provision would then have been defeated.

But evidently the subsidy got such a scare then that it has not dared to appear again. I say, therefore, that it is a great merit in this bill that so far as railway mail pay is concerned every railroad company in the United States, when this bill becomes a law, will stand upon the same footing and will be regulated by the same rule of compensation. There will be no stepchildren, no favorites, but all railway companies carrying the mail will be put upon the same basis and be paid according to the same rule. The greatest objection to that item in former bills was that there was an inequality of compensation.

This appropriation bill has two important features. One provides for an increase in the expenditures of the postal revenue and the other for a decrease in the expenditures of postal revenue. Both of these features of the bill are meritorious. The provisions relative to increased expenditure are those relating to the salaries of clerks in first and second class post-offices in the country, railway mail clerks, and city mail carriers and rural carriers. The increase in the compensation of these servants is, in the opinion of all of the members of the committee, just, and in most instances absolutely necessary. The increase in the compensation of rural carriers is absolutely necessary in order that the efficiency of the service may be maintained. The work of the rural carriers, especially in the northern part of the United States, where in winter the weather is cold and the snow is deep, is very difficult and onerous, and the compensation under the present law is insufficient, so insufficient that there has been great difficulty in maintaining the service. That is generally the best criterion as to the sufficiency of compensation. I will insert in my remarks the following extract from the Department report upon the subject:

In the fiscal year ended June 30, 1906, the tenth year in which rural delivery has been in operation, there has been material decrease in the demand for the service. The climax in the development of the rural delivery of mail was reached in the fiscal year 1904, when the service was installed on 9,447 routes. At that time the average number of petitions filed per month was 700. This average was maintained during the fiscal year 1905, but during the past fiscal year the number of petitions filed was 4,087, a monthly average of 390. Of this number, 3,700 were accepted for investigation.

The growth of the rural service during the ten years of its existence is shown by the following table:

Fiscal year.	Carriers.	Appropriations.	Expenditures.
1897	83	$40,000	$14,840
1898	148	50,250	50,241
1899	391	150,032	150,012
1900	1,276	450,000	420,433
1901	4,301	1,750,796	1,750,321
1902	8,466	4,089,075	4,089,041
1903	15,119	8,580,364	8,051,599
1904	24,566	12,926,905	12,645,275
1905	32,055	21,116,600	20,864,885
1906	35,666	25,828,300	24,785,256

With the close of the fiscal year 1906 rural delivery was in operation on 35,766 routes. On 233 of these routes service is performed tri-weekly. On nearly all of the remainder the service is daily, as it is contrary to the policy of the Department to establish rural-delivery service more frequent than once a day. During the year 3,732 new

routes were established, and 76 routes were discontinued, the net increase for the year in the number of routes in operation being 3,656. The decrease in the number of routes established is due to the falling off in the demand for the service. The number of petitions pending June 30, 1906, was 3,099. Since that date 449 petitions have been accepted and 752 routes established or ordered established. There are on hand awaiting action 825 petitions favorably reported, making the net number of petitions pending October 1, 1906, 1,968.

The appropriations for this item increased from $21,116,000 in 1905, $25,828,300 in 1906, to $32,987,400 in the present bill, this great increase being due largely to the general increase in the compensation of the carriers. But great as is the expenditure for this service it is certain that it also results in increased revenue.

The total receipts for 1906 were $157,932,782.95, an increase over 1905 of $15,106,197.85, which is the greatest increase for any year in the history of the service. The per cent of increase in receipts is 9.88, as compared with 6.42 for 1905. For the third quarter the receipts exceeded the expenditures by $286,724.46.

The total expenditures during 1906 were $178,449,778.89, an increase of $11,050,609.66 over 1905. The per cent of increase, 6.60, is less than for a number of years and is smaller by one-third than the per cent of increase during 1905.

It is an interesting fact, as showing the relation between postal receipts and expenditures, that for several years past the receipts of one year have about equaled the expenditures of the year before.

These records show that last year 12 per cent, or approximately one-eighth of the rural carriers, resigned, and 2½ per cent of the city carriers resigned, showing that there was not so great a difficulty in maintaining the service of carriers in the cities as in the rural districts.

Mr. CAMPBELL of Kansas. Mr. Chairman, did the committee inquire into the question as to whether or not the rural feature of the Post-Office Department was anything like self-sustaining at this time, or what deficit there is in that service?

Mr. STEENERSON. I do not think that the committee considered that. I might say that I have given that subject some thought, and the report of the Postmaster-General above referred to shows that there has been an unprecedented increase in postal revenues of late years, and concurrently an unprecedented increase in the rural service, and the Postmaster-General in his report further says that there can be no question but that the rural service has increased the amount of first-class matter, the only matter upon which there is any profit to the Department.

Mr. CAMPBELL of Kansas. That has been my contention as a layman.

Mr. STEENERSON. The gentleman from Kansas was right, as usual.

Mr. CAMPBELL of Kansas. And I should have been glad to see the committee report $900 instead of $840 for the rural carrier.

Mr. STEENERSON. There was not a member of the committee who did not desire to make it $900, but considering all the demands for salary increases, a compromise was agreed to at $840. I believe that in the near future it will be necessary to place it at the figure which the gentleman has named.

Now, I believe this is a pretty good index to the necessity for salary increase. I think this affords a valuable suggestion to my colleague from Minnesota [Mr. DAVIS] in searching for arguments in support of his bill for the increase of the salaries of the clerks in Washington. Perhaps upon investigating the statistics, which I have never done, he might find what the percentage of resignations had been here in the last year, and if it were very great, and if there were danger that the wheels of the Government would stop if we did not increase the salaries of the clerks in Washington, it would afford a splendid argument in support of his bill. [Laughter.] Now I come to the question of the provisions of the bill which, if enacted into law, will result in a decrease in the expenditures of postal revenues. These are the provisions that relate to railway mail pay. The reduction on postal-car pay—on the 40-foot cars from $30 to $27.50, on the 50-foot cars from $40 to $32.50, on the 60-foot cars from $50 to $40—has been estimated to amount in round numbers to a million dollars.

There is in the bill, as drawn in the committee, provision for other decreases or diminution of railway mail pay. The first is a 5 per cent reduction upon those roads that carry an average daily weight in excess of 5,000 pounds; next, 10 per cent reduction upon those roads that carry an average daily weight in excess of 48,000 pounds, and then fixing a flat rate of $19 per ton per mile per annum for the quantity above that amount.

Then, there was incorporated into the bill the famous proposition which, for convenience, I think I might denominate the "Murdock proposition," in honor of the gentleman from Kansas. That is a provision to change the method of determining the average daily weight under the statute of 1873 by changing the divisor from thirty to thirty-five or, as the period has been lengthened, from ninety to one hundred and five, there being fifteen weeks of six working days each in ninety days, and fifteen Sundays being added makes one hundred and five. In other words, we might weigh for the whole year, and if we weighed for the whole year, the working days, we would have three hundred and thirteen, and if you counted Sundays it would be three hundred and sixty-five.

On December 11 the gentleman from Kansas [Mr. MURDOCK] made his speech in this House. It was more than two months before the Post-Office Committee reported this bill. It was three weeks before it began the consideration of the post-office appropriation bill. He printed his speech in the RECORD, and in that he contended that he had made a most astonishing discovery—that by means of a false construction, as he termed it, an unwarranted construction of the law of 1873, the Department had been giving the railroads an advantage, which he explained amounted to millions and which, as a matter of fact, does amount, according to the computation of the Department subsequently made, to $5,000,000 and over and which I submit amounts exactly to one-seventh of the total amount.

Now, if that was a discovery of a fact, it was an important discovery, but unfortunately—or I might say fortunately—the gentleman was mistaken. Now I want to say a few words about this at this time because of the reflection that it necessarily casts upon this Administration and prior Administrations of looting the Treasury, as the gentleman said, of $40,000,000 or, as he amended it day before yesterday, $60,000,000.

Mr. MURDOCK. Mr. Chairman, I want to ask the gentleman if I ever used the word "loot?"

Mr. STEENERSON. Oh, I will take that back. The gentleman said by false or by unwarranted construction—by illegal construction—the Department had allowed the railroads to wrongfully take the funds of the Government Treasury.

Now, I do not wonder at the gentleman making that discovery, or thinking he had made a discovery, because I know the gentleman's zeal for the public welfare, and I know how he is trying during his services in Congress to render valuable service to the people, and especially to the Post-Office Committee. But I want you also, in considering the amount of weight to be given to the legal opinion of the gentleman, to remember that possibly he may have unconsciously been biased. The gentleman is not of the legal profession, but a journalist, engaged in publishing a newspaper, and I want to recall the fact that since the Second Assistant Postmaster-General started the agitation for the increase of postage on second-class matter all the newspapers in the country have retorted that we are not charging too low a rate for second-class matter when we charge a cent a pound, but you, Congress, are paying too much to the railroads, and, secondly, throughout the whole length and breadth of the land there has been an outcry that railways have been paid entirely too much, that the way to reduce the deficit or wipe it out of the postal revenues is to decrease the railway mail pay. Now, I believe in being perfectly fair to the railroads, and believe in paying them fairly for the service they perform in transporting the mails.

I am one of those who believe that the railway mail pay on certain routes, as I said yesterday, is excessive; but I do not believe that railway mail pay on all routes is excessive, and I had occasion to explain that last April when we were considering the last appropriation bill. I pointed out then that the present pay of the light routes, carrying 5,000 pounds or less and who furnish a compartment in a car and carry a messenger without charge, can not be called excessive.

I further pointed out that under the law of 1873 the so-called "sliding scale" of reduction of pay as density of traffic increases exhausts itself at 5,000 pounds. The law was framed on the principle that increase of traffic enabled economies to be effected. That is an economic law, especially applicable to transportation, the law of "increasing returns," so called. But as Professor Adams, in his celebrated report to the Wolcott Commission, said, this law of 1873 exhausts its sliding scale of lowering charges too soon.

At 5,000 pounds the per ton mile rate is 18.7 cents, and the weight over 5,000 goes at the flat rate of 5.8 cents per ton mile. The rate continues the same above that weight, however great the weight daily. Average freight rates are 0.72 cent per ton per mile. The lowest possible rate for mail, even if it moves in hundreds of thousands of tons daily is eight times the average charge for freight. I will show later on that on the very heavy routes running out of New York they carry second-class matter packed solid in storage cars up to 47,000 pounds, so that there is great economy in the transportation. But I will go back to the Murdock proposition. I submit that it simply involves whether the Department's construction of the law was correct or not. Did the Department in adopting the divisor that they did adopt interpret the law correctly? Did they carry out the intention of Congress as expressed in the act. It is a question of legal hermeneutics, of the construction of a statute, and in order to judge whether

or not the Department has put a proper construction upon it, whether or not they have given effect to the intent of Congress, we must observe the ordinary rules of statutory construction familiar to the law. One would suppose it a question for lawyers to settle.

I was very much gratified at the conclusion my friend from Missouri [Mr. LLOYD] came to a few moments ago when he said the Department's interpretation of the law was correct. I was glad to hear he finally came to that result, because I reached that result some time ago myself, but I do not agree with him in the history of this law, and I think a reference to its history will help us to solve this question of statutory construction if we desire to solve it. The gentleman from Kansas made his charge on December 11, and January 5 the chairman of the Committee on Post-Offices and Post-Roads wrote a letter to the Postmaster-General asking him to explain the rules and methods under which they determine the average daily weight of mail upon the railroads, and received answer as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., January 9, 1907.

SIR: Receipt is acknowledged of your letter of the 5th instant, reading as follows:

"Will you please advise me of the general practice followed by the Post-Office Department in determining the weight of mails at the various weighing periods under the law, and the method of computations by which the rate for such payment is ascertained?"

In reply I submit the inclosed statement from the Second Assistant Postmaster-General, who is charged with immediate supervision of the transportation of the mails, including the direction of the weighing of the mails and the adjustment of compensation thereon.

In transmitting this information I desire to say that some time ago I directed an investigation of this feature of the Department's work, among a number of other matters concerning which I desired to be advised, and it has been my intention, upon receipt of the necessary data, to request an opinion from the Assistant Attorney-General for this Department and, if thought advisable, from the Attorney-General of the United States.

A question may be asked as to what the difference in compensation to railroad companies would be if the average daily weight were ascertained by using as a divisor the actual number of days, including Sundays, in the weighing period instead of the number of week days, excluding Sundays. In view of the recent discussion in the House on this subject, I some days ago directed that calculations be made as to 100 representative railroad routes covering all sections of the country to show what the compensation would be if the actual number of days, including Sundays, in the weighing period were used as a divisor, and an estimate as to the decrease in compensation for all railroad service on a pro rata basis of the results actually ascertained in the 100 typical routes. I inclose herewith a table showing the result of those calculations.

Very respectfully,
GEO. B. CORTELYOU,
Postmaster-General.

Hon. JESSE OVERSTREET,
Chairman Committee on the Post-Office and Post-Roads,
House of Representatives.

The statement of the Second Assistant Postmaster-General was as follows:

POST-OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, January 9, 1907.

The POSTMASTER-GENERAL.

SIR: Referring to the letter of the 5th instant from the chairman of the Committee on the Post-Office and Post-Roads, House of Representatives, asking that he be advised "of the general practice followed by the Post-Office Department and determining the weight of the mails at the various weighing periods under the law, and the method of computations by which the rate for such payment is ascertained," the following is submitted:

By section 4002, Revised Statutes (Postal Laws and Regulations, sec. 1164), the Postmaster-General is authorized and directed to adjust compensation for railroad mail transportation at certain rates herein specified, upon the average daily weight of mail carried, "the average weight to be ascertained in every case by the actual weighing of the mails for such a number of successive working days, not less than thirty, at such times, after June 30, 1873, and not less frequently than once every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct."

By the act of March 3, 1875 (Postal Laws and Regulations, sec. 1164, par. 4), the Postmaster-General "is hereby directed to have the mails weighed, as often as now provided by law, by the employees of the Post-Office Department, and have the weights stated and verified to him by said employees under such instruction as he may consider just to the Post-Office Department and the railroad companies."

The appropriation act approved March 3, 1905, provided for a longer period of weighing, in the following language:

"That hereafter before making a readjustment of pay for transportation of mails on railroad routes the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than ninety, at such times after June 30, 1905, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct."

By section 18, Postal Laws and Regulations, the Postmaster-General has assigned to the Second Assistant Postmaster-General the management of the transportation of the mails, including the direction of the weighing of the mails and the adjustment of compensation thereon.

For the purpose of weighing the mails upon railroads the United States is divided into four sections, and in some one of these sections the mail is weighed each year, and upon the weights ascertained the compensation of the railroad companies is stated for a period of four years. When the weights are about to be taken this office causes the weighers to be carefully selected, first taking the substitute railway postal clerks, and thereafter, as far as practicable, selecting persons whose names appear on the eligibles for appointment as substitute railway mail clerks.

These weighers are placed in the mail cars and railroad stations and are furnished with cards upon which are to be entered the weights of mails taken on and put off the trains at each station. The weighers in the cars take these weights under the supervision of the head clerk. The cards are forwarded daily to the chief clerk in charge of the lines, by whom they are sent to the division superintendent railway mail service, and in his office a corps of clerks consolidate the weights shown by the cards for the several trains and the several days in the weighing period so as to show the total weight put on and the total weight put off all the trains at each station for each day of the entire weighing period. These consolidated weights are entered upon what is known as the "weight" circular, one for each route, and the weight circulars are forwarded to the division of railway adjustments, Post-Office Department. There the weight circular is taken, together with the distance circular showing the distances between the several stations of each route, and calculations are made to determine the average weight carried over the entire route. Then to determine the average weight of mails per day carried over the entire route the average weight carried over the entire route for the entire weighing period is divided by the number of "working days" (to use the language of the statute)—that is, the number of week days, excluding Sundays, during the weighing period.

The question as to whether the average daily weight contemplated by the statute is correctly ascertained by the present practice of dividing the total average weight carried over the entire route by the number of week days, excluding Sundays, within the weighing period, or whether the average daily weight would be more correctly determined by dividing the total average weight carried over the entire route by the total number of days, including Sundays, during the weighing period, has frequently been discussed and was recently referred to on the floor of the House. It has been contended by some that the average should in every case be obtained by using as a divisor the actual number of days in the weighing period. It can not be denied that this would produce an average daily weight for that period, but the question is whether this would produce the average intended by the statute, and in order to ascertain this not only the special language of the statute providing for an annual rate of pay based upon an average daily weight, to be ascertained by an actual weighing of the mails for a certain number of "successive working days," should be considered, but also the history of the manner of adjusting compensation for railroad service which preceded the act of 1873, the extent to which it was incorporated in the act of 1873, and the contemporaneous statements of Postmaster-General with reference thereto.

When this is done it seems that no doubt can remain that Congress intended that not the whole number of days within the period of weighing should be used as a divisor, but the number of working days within such period. Such examination will show, I think, that under conditions where there are railroad mail routes upon which there is both week-day and Sunday service and week-day service alone, the specific language of the statute requiring a weighing to be had for a number of "successive working days" is practically meaningless unless it governs to that extent the manner of computing the average daily weight. It will also show that the long-established practice of the Department, under the laws which were superseded by the act of 1873, was to classify railroad service upon that basis; that the law of 1873 in this respect practically adopted the practice which had theretofore so obtained, and that the actual administration of the law from the time of its passage was a continuation of the methods so adopted.

At the time of the institution in 1867 of the system of weighing the mails in order to arrive at a basis of classification for compensation for service the law of March 3, 1845, section 19, was in force, which provided that—

"To insure as far as may be practicable an equal and just rate of compensation, according to the service performed, and on the several railroad companies in the United States for the transportation of the mail, it shall be the duty of the Postmaster-General to arrange and divide the railroad routes * * * into three classes, according to the size of the mails, the speed with which they are conveyed, and the importance of the service."

In order to more accurately determine the "size of the mails" so conveyed, the Post-Office Department issued in 1867 to railroads a "railroad weight circular," requesting them to weigh the mails for "thirty consecutive working days" and report the results to the Department, together with description of accommodations furnished, etc. The majority of the railroads complied with the request (Report of the Postmaster-General for 1867, pp. 10, 11). Computations of the average daily weight were made upon these returns (pp. 72 to 91, inclusive). An examination of the departmental records and reports shows that the instructions were to weigh for "thirty consecutive working days," and that in computing the average daily weight thirty was used as a divisor; therefore, the weights were taken for every day of the period measured by the "thirty consecutive working days," including the Sundays, but the divisor was thirty or the number of consecutive working days.

The results of this weighing and computation became the basis for the first readjustment by classes, determined by the average daily weight, under the law of 1845. The Postmaster-General, in his report for 1868 (p. 10), says:

"The 30th of June, 1868, being the period for the expiration of the term of contracts for transporting the mails in the States of New Jersey, Pennsylvania, Delaware, Maryland, and Ohio, the Department, in anticipation of the close of the term, entered upon a systematic revision and readjustment of the rates of pay on railroad routes in those States, based upon returns of the weights of the mails conveyed and the accommodations provided for mails and agents of the Department, received in response to the 'railroad-weight circular' referred to in the last annual report (p. 11)."

This readjustment is shown on pages 66 to 69 of his report of 1868.

At the time of this weighing and first readjustment upon this basis, as well as at all subsequent times, there was week-day and Sunday service upon some routes and week-day service only upon others.

The Postmaster-General's reports for the succeeding period until the passage and first administration of the act of 1873 (reports of Postmasters-General, 1869, pp. 10, 78 to 90, inclusive; 1870, pp. 10, 11, 82 to 98, inclusive; 1871, pp. V, VI, 48 to 65, inclusive; 1872, pp. 10, 11, 100 to 123, inclusive; 1873, pp. XII, 70 to 96, inclusive, as well as the files of this office, show that for each year the routes in the expiring contract section were weighed, the average daily weights calculated, and readjustments made in a similar manner.

The first weighing under the law of 1873 began October 1, 1873, and was ordered for "thirty consecutive working days" (report of Post-

master-General, 1874, p. 8). The returns were received, and the computations and readjustments were made under the provisions of the law (pp. 108 to 183, inclusive).

In making these computations and adjustments the divisor used was the same as that which had theretofore been used, namely, thirty days. The reports and records for the succeeding years show the same character of weighing and the same manner of computation and adjustment.

It is apparent from these facts that the same system of weighing the mails and of computing the average daily weight upon the returns for a certain number of "consecutive working days," which had obtained in the Department for years before the passage of the law of 1873, was practically adopted by that law and continued without change in the administration of the same. For this we have not only the logic of the facts, but the statement of the Second Assistant Postmaster-General for the year 1878, who states on page 61 of his report: "In 1867 the service rendered by railroad companies was gauged by the system substantially embodied in the act of 1873."

It should be borne in mind that the whole question of proper compensation to railroads for carrying mails was before Congress at two different times during this period, upon which occasions reductions in the rates were made. By the acts of July 12, 1876, and June 17, 1878, Congress reduced the rates provided for by the act of 1873 by a flat reduction of 10 per cent and 5 per cent, respectively. I think it must be assumed that such action could not be taken by Congress without thorough information upon the subject in all its details, including the construction placed upon the act of 1873 by the executive officers and the details of administration, yet the reduction effected was by a flat rate of deduction and not by any change in the law which would necessitate a different construction and practice with reference to the manner of computing the average daily weight.

This construction and practice continued without question, so far as the facts are known in this office or disclosed by the reports and records, until 1884. The reports of the Postmaster-General show that during this time the question of adequacy or inadequacy of railroad rates, and of desirable revision of the law, was given much attention by the Department. There is no suggestion in any of these reports that there was an incorrect method of computing the average weight, the correction of which would reduce the pay of railroads. This is also confirmed by reference to the annual report of Postmaster-General Hatton, 1884; Vilas, 1885 and 1886; also the reports of the several Second Assistant Postmasters-General for those years. It will be noticed further by reference to the report of the Second Assistant Postmaster-General, Knott, 1866, that this subject of rates for railroad mail transportation had been before the Senate Committee on Transportation in 1874, the special commission appointed by the President under the act of 1876, known as the "Hubbard Commission," and the commission of 1883, composed of officers of the Post-Office Department. The whole subject subsequently received the careful examination of a joint commission of Senators and Representatives in Congress, reference to which is made in the Postmaster-General's report for the year 1906, as follows:

"By section 5 of the act of June 13, 1898, making appropriations for the service of the Post-Office Department for the fiscal year ended June 30, 1899, Congress authorized the appointment of a commission, consisting of the chairmen of the Committee on Post-Offices and Post-Roads of the Senate and House of Representatives and three members of the Senate and three members of the House, 'to investigate the question whether or not excessive prices are paid to railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the postal service, and rates of postage upon all postal matters.'

"This Commission held extended hearings for a period of several years and examined witnesses from all available sources, including expert statisticians, and submitted its report to Congress in 1901. Congress has taken no action on this report nor on the one preceding it."

Among these Postmaster-Generals were not only several eminent lawyers, such as Mr. Vilas and Mr. Bissell, but men eminent in business affairs and who gave special study to the question, and who concluded that the practice was not only justified by the law, but the only one that would be equitable and just under the circumstances.

In September, 1884, Postmaster-General Gresham issued an order to become effective at the next weighing, as follows: "That hereafter when the weight of mail is taken on railroad routes performing service seven days per week the whole number of days the mails are weighed, whether thirty or thirty-five, shall be used as a divisor for obtaining the average weight per day."

Postmaster-General Gresham retired from office soon thereafter. Postmaster-General Hatton succeeded him October 14, 1884. He submitted the order to the Attorney-General with a statement and illustration of the practice which had prevailed in tabulating weights from the time the law became effective. On October 31, 1884, the Acting Attorney-General rendered an opinion sustaining the practice of the Department, in which he said:

"I have considered your communication of the 22d instant, requesting to know whether the construction placed by the Post-Office Department on section 4002, subsection 2, prescribing the mode in which the average of the weight of mails transported on railroad routes shall be ascertained, is correct, and am of the opinion that that construction is correct, and that a departure from it would defeat the intention of the law and cause no little embarrassment."

The opinion was published by the Postmaster-General, who revoked the order of Postmaster-General Gresham, above referred to, and the practice has continued since as theretofore.

While Mr. Vilas was in the Senate, as is well known, he gave the subject of railroad mail pay very careful consideration and insisted upon an amendment of the law. During this time he addressed a letter to the Second Assistant Postmaster-General upon this particular subject of the manner of computing the average daily weight, in which he treats the subject at great length. One paragraph, however, is sufficient to indicate his views. This is as follows:

"The only question is how the weight of mails carried on Sunday shall be treated in the computation. Are they to be reckoned at all? Assuredly. Unless they be reckoned the Government will pay nothing for the carriage. Then are they to be reckoned as if Sunday were a 'working day?' If so, the statute is violated by the inclusion of Sunday as a 'working day.' Still more, a gross injustice is done to that class of roads which renders the greatest and best service to the Department. That would be to grade the carriers upon an average of weights whereby the roads which rendered less service are put above them proportionately. The roads which in six day carry all the mail sent over them during the week would be awarded an average of one-sixth of such week's total weight, whereas the roads which, to favor the Department, run an additional day to carry the week's mail, would find their week's total weight averaged at one-seventh, the proportion thus being in favor of the company with the least claim for consideration. This can not be the design of the statute."

At all times since the passage of the act of 1873 there have been routes of both kinds, though the proportion upon which daily, including Sunday, service is maintained has increased. The reports and records show that at the time of the first weighing, in 1867, and at the times of the several weighings since, including the weighing upon which the first readjustment under the law of 1873 was made, there were a number of routes upon which Sunday service was maintained, as well as routes upon which only week-day service was rendered. At present in the State of Pennsylvania there are 56 routes upon which mails are carried every day in the year, more or less Sunday service being performed on such routes. In the same State there are 190 routes upon which mails are carried only six days out of seven, the mails originating and accumulating between 12 o'clock Saturday night and 12 o'clock Sunday night being weighed and tabulated with the mails carried on Monday. In the State of New York 78 routes have Sunday service, and 81 routes six days a week service. In the States comprising the Middle West, the section of the country in which mails will be weighed within the next few months, there are 374 routes which had Sunday service at the last weighing, and 428 routes which were without Sunday service—in other words, which relied upon six days a week service as fulfilling proper conditions justifying the legal rate of pay.

In the practice of the Department, railroads which do not carry mails on Sunday are held to be entitled, under the decision of the Attorney-General and the long-prevailing practice, to have all mail matter originating and accumulating during Sunday added to the Monday tabulation of weights, for the reason that weighing of the mails must be constructively on working days, and therefore mails carried on Sunday are mails which otherwise would be carried on Monday and which, if railroads did carry on Monday, they would receive pro rata compensation for. If any other practice were adopted with reference to this six day a week service, it is apparent that if Sunday service were inaugurated upon such routes and the mails were dispatched upon Sunday trains and thereby reached destination earlier than they otherwise would, notwithstanding the Department would gain by this expedition of the mails, the railroads would lose by having the average weight reduced by a divisor of seven instead of six.

In view of this condition of the service, the intention of the law as disclosed by the history of the subject and the practice and construction placed upon it by the executive officers who were charged with its execution, of the contemporaneous declaration that in this respect the law adopted the practice which existed before its passage, and of the long-continued and unbroken maintenance of this construction upon the highest legal authority, I have to submit that the average daily weight as ascertained by the existing practice of the Department is the correct one contemplated by the statute.

Very respectfully,

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

OCTOBER 24, 1884.

SIR: The act of March 3, 1873 (17 Stat. L., p. 558), regulating the pay for carrying the mails on railroad routes provides:

"That the pay per mile per annum shall not exceed the following rates, namely:

"On routes carrying their whole length an average weight of mails per day of 200 pounds, $50; 500 pounds, $75; 1,000 pounds, $100; 1,500 pounds, $125; 2,000 pounds, $150; 3,500 pounds, $175, etc. * * *

"The average weight to be ascertained in every case by the actual weighing of the mails for such a number of successive working days, not less than thirty * * *."

Upon a large number of the railroad routes mails are carried on six days each week—that is, no mail is carried on Sunday. On others they are carried on every day in the year.

It has been the practice since 1873 in arriving at the average weight of mails per day on these two classes of service to treat the "successive working days" as being composed of the six secular or working days in the week, which is explained by the following illustrations:

Two routes, No. 1 and No. 2, over each of which 313 tons of mails are carried annually.

On route No. 1 mails are carried twice daily, except Sunday, six days per week, and are weighed for thirty successive working days, covering usually a period of thirty-five days. The result is divided by thirty and an average weight of mails per day of 2,000 pounds is obtained.

Transportation per mile of road per annum	miles	1,252
Weight per mile of road per annum	tons	313
Pay per ton per mile of road per annum	cents	47.92
Pay per mile run of road per annum	do	11.9
Rate of pay allowable per mile per annum		$150

On route No. 2 mails are carried twice daily, seven days per week, and are weighed for thirty successive working days, and for the intervening Sundays, the weight on the Sundays being treated as if carried on Mondays, the weighing, as before, covering usually a period of thirty-five days. The result is divided by thirty and an average weight of mails per day of 2,000 pounds is obtained.

Transportation per mile of road per annum	miles	1,460
Weight per mile of road per annum	tons	313
Pay per ton per mile of road per annum	cents	47.92
Pay per mile run of road per annum	do	10.2
Rate of pay allowed per mile per annum		$150

I have thought it necessary to give the foregoing illustrations in order that the practice of this Department under the law cited may readily appear, and I will thank you to advise me whether that practice is in compliance with or in violation of the statute.

If not in conformity with the law will you please indicate the correct method by which the average weight per day should be obtained and the compensation adjusted thereon?

Very respectfully,

FRANK HATTON,
Postmaster-General.

Hon. B. H. BREWSTER,
Attorney-General, Department of Justice.

DEPARTMENT OF JUSTICE,
Washington, October 31, 1884.

The POSTMASTER-GENERAL.

SIR: I have considered your communication of the 22d instant, requesting to know whether the construction placed by the Post-Office Department on section 4002, subsection 2, prescribing the mode in

which the average of the weight of mails transported on railroad routes shall be ascertained is correct, and am of opinion that that construction is correct, and that a departure from it would defeat the intention of the law and cause no little embarrassment.

I have the honor to be, your obedient servant,

WM. A. MAURY,
Acting Attorney-General.

The charge was so serious that the Postmaster-General properly said that he had been considering the propriety of submitting the question to the Attorney-General.

The letter gives the history, the origin, of this act of Congress and points out that the first statute upon the subject of railway mail pay was in 1845; that in 1869 in order to carry out that statute the Department ordered a weighing. They were required to determine the size of the mail; so in order to determine that they determined to have a weighing and issued a weighing circular. There was no provision in the statute of 1845 requiring a weighing, but simply to determine the quantity, and the Department, without any specific direction in that statute, ordered a weighing in order to determine the quantity. They weighed under directions, which will be found in the Department, for a period of thirty days. The instructions were that they should weigh for a period of thirty working days. The gentleman from Missouri [Mr. LLOYD] is mistaken when he says there were not Sunday routes in those days. The record shows there were both of those routes; in fact, three kinds of routes—daily and Sunday and triweekly. Under the weighing circular they weighed the mail on the six-day route six days, of course. They weighed the mail on the seven-day route seven days and counted the Sunday weight as of Monday.

Mr. MURDOCK. Will the gentleman yield for a moment there?

Mr. STEENERSON. I prefer to wait until I have finished.

Mr. MURDOCK. Can you give some documentary evidence on the second proposition?

Mr. STEENERSON. If I am mistaken I shall be very glad to retract it. I think you can find it in the Postmaster-General's letter. Now, then, they computed the thirty-day period as including thirty working days, and they took the weight on the five Sundays and added it to the five Mondays in the period. That was the only way by which a just and accurate determination of the total amount of mail transported on each road could be determined, because it must necessarily be determined according to the pound per mile basis. It is, and was then, before the statute of 1873, a per ton per mile rate, weight multiplied by distance. Now, then, after that had been the practice of the Department for seven years Congress enacted the law of 1873 and used the same words, "working days," in the statute that were to be found in the weight circular of 1867. It is one of the elementary principles of statutory construction that the circumstances surrounding the enactment of a law must be taken into account in construing it. So if you copy or adopt a statute from another State that has had a peculiar construction put upon by the courts of that State, you adopt not only the words of the statute, but the construction there given to it.

Mr. HILL of Connecticut. May I ask a question?

Mr. STEENERSON. Yes.

Mr. HILL of Connecticut. Without reference to the law, why would it not have been just as fair to have added Saturday and Sunday to the other five days and then divided it by five?

Mr. STEENERSON. I will explain that to the gentleman, or, at least, I hope to. I will come to that right away.

Now, there is a most remarkable difference of opinion on this subject among the members of the committee. There are three reports. The chairman [Mr. OVERSTREET of Indiana] signs one, and he, in my opinion, is mistaken as to the effect of this proposed provision in the bill, for he says:

In computing the average weight of mail carried per day, the whole number of days such mail may be weighed shall be used as a divisor.

That is not the effect of the provision in the bill. The effect of the provision is to adopt as a divisor the total number of days in the weighing period—that is, including workdays and Sundays. It is a single divisor for all classes of routes. You do not use the number represented by the days upon which mail is weighed . There is where the gentleman from Kansas seems—I do not say that he is, but seems—to be in error, as well as many other gentlemen, for they will say if you adopt a "false" divisor, as the gentleman from Kansas [Mr. MURDOCK] says, then it is wrong. If you adopt a divisor for each class of route, using only the number of days mail is carried on, you have a different basis for each. This fixes a per ton per mile compensation for transportation of the mail. Given the length of route and weight carried in the whole period of a year, you divide the total by the whole number of working days. Instead of ninety days, take a year. What divisor would you use if you set aside no weighing period? Weighed every day in the year, except on six and three day a week routes, you would weigh three hundred and thirteen and one hundred and fifty-seven. If you are only compelled to carry mail on working days, clearly the divisor should be three hundred and thirteen.

Mr. GOEBEL. But the statute says you must fix the compensation——

Mr. STEENERSON. I will come to the gentleman after a while. The gentleman has a minority report here.

If you adopt the construction placed upon it by the report of the chairman of the committee [Mr. OVERSTREET] and that placed upon it by the gentleman from Connecticut [Mr. HILL] and the gentleman from Ohio [Mr. GOEBEL] and say you must use as a divisor the days only upon which the mail is weighed, you will adopt three divisors—three hundred and sixty-five for the seven-day route, three hundred and thirteen for the six-day route, and you will adopt one hundred and fifty-seven for the triweekly. The result will be, of course, that when you decrease the divisor you will increase the rate per ton-mile. You will give the triweekly route twice as much weight per mile as you give the six-day-a-week route, and you will give the six-day-a-week route one-seventh more than you do the seven-day-a-week route, causing a loss in ton mileage, which results in dividing with the highest divisor. Now, the argument of the gentleman from Kansas [Mr. MURDOCK] and his followers on this remind me very much of a farmers' convention in my State many years ago when the millers used to take toll from the grist. They took one-eighth of the quantity. The farmers thought it was an extortion, and they held a convention and resolved to seek a remedy in law. One gentleman, who was considerable of a demagogue, thinking he could curry favor, introduced a resolution to the effect that a law should be passed prohibiting any higher toll than one-fourth; but the farmers could not follow that kind of reasoning, and they voted it down quickly.

But if the gentleman from Kansas [Mr. MURDOCK] had been there, it seems to me that he would have argued that it was better for the farmer to have a small divisor than a big one, and, therefore, that you decreased the toll by decreasing the divisor. Now, what can you do? You have three kinds of routes. You can not take three divisors, because it would result in absurdity, paying a higher rate per ton per mile where you carry the mail with less dispatch.

Mr. MURDOCK. Are there not 756 different routes, carrying less than 5,000 pounds, that would not be affected by any divisor at all?

Mr. STEENERSON. No; you must have a divisor to get a daily average, but you need not have a weighing period, for you can weigh the whole year. When the price fixed, as I said, is per ton per mile allowed for the transportation of mails under the law, it gives the Department the right to determine the frequency and the speed with which it is to be transported. We have three kinds of routes: Three days a week, six days a week, and seven days a week; and unless you use the same divisor for all of them you will have a higher rate per ton per mile for the fewer dispatches of mail.

Now, a great many have understood, again, that the suggested new proposition would result in paying less for the Sunday service—the seven-day-a-week service—than you pay for the six-day-a-week service. As a matter of fact, if you use the same divisor—if you divide the total weight of mail passing over the road by the total number of working days in the week, month, quarter, or year, or whether you raise the divisor or lower it—if you use the same divisor for all three classes of routes, the result is the same per ton per mile compensation on each class. Each class of route should have the same rate for same amount of transportation. That is what the Legislature had in mind when they enacted this law. That is what the Department had in mind when they interpreted it. The gentleman from Kansas is not now sticking to the original proposition that he made, that you should have a divisor representing the same number as the number of days upon which the mail is weighed—one divisor for the seven-day-a-week route and another for the six. You have got to have a fictitious divisor as to one or the other, unless you use more than one. So that there is no difference in the pay on six or seven day route for same total weight under the present proposition. The only difference as I understand it is that by using the higher divisor you reduce the daily average one-seventh. That is the only result; and you pay the same price per ton per mile to both roads. It is true that the Sunday route gives one more dispatch of mail.

Now, I illustrate that this way: I can say if, for instance, a rural service has daily service, that if we pay the rural carrier $1 per pound on the average weight of mail and his route is

25 miles, if he carried 10 pounds, he would get $250 per annum; if it was 20 pounds, he would get $500 per annum, and if it was 30 pounds, he would get $750 per annum. But if one rural carrier should say, "Here, I have friends on this route; they are willing to feed my horse on Sundays, perhaps the whole week, if I will give them an extra carriage, and I will carry the mail on Sunday," and he carries one-seventh of the mail on Sunday, thereby reducing the average load which he would have to carry on the six days. Now, we will have two carriers who will have transported over the same distance the same quantity of mail, but if you use 7 for the divisor, the man who gives one extra expedition of the mail a week will be paid one-seventh less. The only extra service of the seven-day-a-week service is that they get the same quantity of mail in the seven days that they otherwise get in six, and the pay being per ton per mile a day, it ought to be the same, because the statute simply says there shall be daily mail.

So that where the Post-Office Department requires two deliveries of mail, or even three, there being bigger train mileage, the total weight remaining the same, you do not divide by the double divisor, but give the average rates of pay to that road with the road that has just one train a day. On some routes the Post-Office Department requires dispatch of the mail more frequently than twice. There are some routes where the dispatches are every two hours or every three hours, but that neither increases nor diminishes the pay.

When the mail, therefore, in contemplation of this statute, is carried on the working days in the week, or in the month, or in the year, there is a daily mail within the contemplation of this statute, the true division is 313, and you must use that whether you carry the mail 157 times a year or whether you carry it 365 times a year or 313 times a year.

Mr. MURDOCK. Will the gentleman let me ask him a question?

Mr. STEENERSON. How much time have I?

The CHAIRMAN. Nine minutes.

Mr. STEENERSON. I am afraid I can not yield to the gentleman.

Mr. MURDOCK. Just a minute. It is vital to a proper understanding of this.

Mr. STEENERSON. Very well.

Mr. MURDOCK. If it is fair to put the Sunday weights into the Monday mail and divide by 6, then why is it not fair to put all the weights of the week into Saturday and divide by 1?

Mr. STEENERSON. I have shown the absurdity of that proposition by my story of the miller.

Mr. MURDOCK. I don't think you have.

Mr. STEENERSON. If you carried the mail once a year, and divided by 1, which would be no divisor at all, you would get 365 times the pay.

Mr. HILL of Connecticut. Certainly; and you get one-seventh more pay the way you figure it. No; the total pay is the same for the same weight over the same length of route. If you don't want to carry mail Sunday you can leave it over to Monday and have just the same number of pounds.

Mr. STEENERSON. I want to read from the report of the gentleman from Ohio [Mr. GOEBEL] on this bill. Here is the minority report of the gentleman:

> Again, I do not think that the Department was justified in fixing the compensation on the hypothesis that it is a Sunday service or special in its character. It is said that this change involves a reduction of $5,000,000 during the next four years. If that be true, and the action of the Department could be justified upon the theory that it is a Sunday service, then it seems to me that the amount which the Government would have to pay is far in excess of the value of such service. If it can be shown that this service involves extraordinary expense or differs in other respects from the week-day service, then, clearly, additional compensation ought to be allowed to the railroads.

There never was any proposition to pay the seven-day service any more for the same amount of transportation than you pay the six-day route. The gentleman overlooks the fact that what you gained in weight of mail on Sunday you diminished in the other six. The pay is the same.

The gentleman claims that the seven-day routes now get more pay than the six-day routes, but that is an error. They get absolutely the same pay for carrying the same amount of mail over the same distance, and that disposes of the position of the gentleman.

I will now consider the general subject of the justice of reducing railway mail pay upon the dense routes. This subject was investigated for three years by the Wolcott Commission, which reported to Congress in 1901. Every expert on the subject of prominence in the United States was heard. The report is a divided one. There were eight members. Of these, four—Wolcott, ALLISON, MARTIN, and Loud—reported that railway mail pay was not excessive; two—Moody and Catchings—reported that on the evidence as to the size of the average load carried on a postal car they were in doubt; that the whole question, as explained by the Commission's expert, Mr. Adams, turned on the size of the load—that is, if the cars in a mail train on the dense routes could be loaded with 3½ tons, instead of 2, as testified to by some railroad witnesses, the cost of transportation would be reduced more than half. They wanted further evidence, and if that disclosed that the average load on a postal car exceeded 2 tons then they would recommend a reduction.

The other two members—Chandler and Fleming—were satisfied from the evidence taken that railway mail pay on the dense routes was excessive and should be reduced.

Now, since that report we have additional evidence on this very point. In spite of the claim of the minority report, I submit there is evidence on this subject which ought to be convincing. The last Postal Commission took evidence as to the way in which second-class mail is handled in the mails. It was proven before them that it is packed in solid storage cars containing 22,000 pounds and more. That Commission in its report recommend unanimously in favor of reduction. I quote from page 32 of the report:

> We accordingly recommend the scheme of progressive reduction of compensation for mail carried in excess of 5,000 pounds per day which is embodied in the accompanying bill. The reduction begins with a weight in excess of 5,000 pounds. It leaves untouched the present rate of $171 for the daily average weight of 5,000 pounds for the reason that we do not believe that density of that degree only permits sufficient economies in the methods of transportation to justify a lower compensation. Where the daily weight, however, is in excess of 5,000 pounds, we think that the economies above mentioned are possible and can be increasingly utilized. The scheme of reduction which we recommend is therefore progressive, beginning with a 5 per cent reduction between 5,000 pounds and 48,000 pounds and increasing to 10 per cent between 48,000 and 80,000 pounds, and thereafter at the reduced rate of $18 per ton per mile per annum carried instead of the present rate of $21.37.

In addition to this, I took pains to inquire at the hearings before the committee last year, and Second Assistant Postmaster-General Shallenberger promised to look the matter up from the way sheets, and in response to an inquiry sent a letter I printed in the RECORD last April, which I here reproduce:

> POST-OFFICE DEPARTMENT,
> SECOND ASSISTANT POSTMASTER-GENERAL,
> RAILWAY MAIL SERVICE,
> *Washington, April 4, 1906.*
>
> Hon. HALVOR STEENERSON,
> *House of Representatives, Washington, D. C.*
>
> SIR: Replying to your several inquiries in regard to the relative weight of mails carried in storage cars and distributing cars on exclusive mail trains, I regret that we can not give you just the information you call for, because in weighing mails we have never kept the weight carried in a storage car separate and apart from that carried in a distributing car on the same train, nor would it be practicable, as mail is being constantly shifted from one car to another in the process of distribution.
>
> Taking all of the trains that carry storage cars as well as distributing cars on what might be termed "exclusive mail trains"—although that term is to some extent a misnomer, because there are probably not more than two or three trains in the country that are made up exclusively of mail cars, there being usually one or more express or baggage cars, or possibly a passenger car or sleeper—we find that on such trains we have forty-eight distributing cars as against twenty-six storage cars. The weight of mail carried in storage cars, as well as in distributing cars, fluctuates very much. We recently had a report showing that 47,000 pounds was carried in a storage car, but the average weight will probably run from 20,000 to 30,000 pounds. The average amount carried in a distributing car will probably run from 5,000 to 8,000 pounds.
>
> On the transcontinental trains, as well as all other through trains, the mail in the storage car does not, as a rule, go through intact from one end to the other. It is usually distributed en route, the undistributed mail being taken from the storage car into the distributing car to be worked, its place in the storage car being taken by through mail that has already been distributed.
>
> Very respectfully,
> W. S. SHALLENBERGER,
> *Second Assistant Postmaster-General.*

You will observe that he says that on routes that have special mail trains they had forty-eight distributing cars as against twenty-six storage cars, or approximately one-half storage cars. The storage cars have been loaded as high as 47,000 pounds, but the average would be from 20,000 to 30,000 pounds, and the average in a distributing car would run from 5,000 to 8,000 pounds—that is, from 2½ to 4 tons.

At the hearings before the Post-Office Committee this year I again examined Mr. Shallenberger on the same subject, and this will be found in the hearings, beginning with page 154 and continuing to page 160.

On page 155 is the following:

> Mr. SHALLENBERGER. We would find, I think, if we weighed, this result: In the cars leaving New York, filled with newspapers in sacks, probably a weight of 22,000 pounds; with magazines of heavy paper, packed solid and square in sacks and packed solid in the car, a result of perhaps 40,000.
>
> Mr. STEENERSON. The result is according to the way it is packed, but the storage cars will carry 10 or 12 tons?
>
> Mr. SHALLENBERGER. Yes; as an average load.
>
> Mr. STEENERSON. Or 22,000 pounds. And what is the average load of the railway post-office car that is used for distribution purposes?
>
> Mr. SHALLENBERGER. From 2½ to 4 tons.
>
> Mr. STEENERSON. From 5,000 to 8,000 pounds?

Mr. SHALLENBERGER. I should perhaps say from 2 to 4 tons.

Mr. STAFFORD. How much in a 50-foot car?

Mr. SHALLENBERGER. I will ask Mr. Grant to answer that question.

Mr. GRANT. It runs from 2 to 4 tons in the 40 to 60 foot cars. I do not think the 60-foot cars will average more perhaps than 3½ tons. The weight of a 60-foot car is about 100,000 pounds.

Mr. STEENERSON. And that carries about 8,000 pounds?

Mr. GRANT. I should say so.

Mr. STEENERSON. Mr. Shallenberger, the fact that this mail can be carried in storage cars is a factor that would be an argument in favor of reduced railway mail pay for those routes, would it not?

Mr. SHALLENBERGER. It would be an argument in favor of applying any reduction to those routes more largely than to the smaller routes.

Mr. STEENERSON. Because the dead weight of the car in proportion to the load it carries is very much less.

Mr. SHALLENBERGER. Very much less. Canada has half a cent per pound rate for second-class matter. Peru has recently agreed, as I am advised, to carry second-class matter free. Inasmuch as we want to carry only legitimate second-class matter and rule out the illegitimate, let us not longer tempt the railroads to seek that class of storage-car matter in preference to other. Let us have reduction of expenditure when we fill a storage car, particularly with that class of mail matter. Let it be less remunerative to them than other matter carried in other cars, so that we will not be expecting to have them bid for it, as it were.

When we take into consideration that the storage cars will average from 10 to 15 tons and sometimes carry as high as 47,000 pounds and that the lowest estimated average for the distributing cars is 3½ tons, it will be seen that the average load is largely increased. If we should have, for instance, in a train four distributing cars of 3½ tons each and two storage cars of 15 tons each, we would have an average of 7½ tons of mail in each car, which, according to Mr. Adams's famous report, would justify a reduction in the railway mail pay on such trains of one-half or more.

Mr. Adams's report on this subject is as follows:

My judgment is that the application of the statute of 1873 to the present conditions under which mail is carried results in overpayment upon the dense routes.

This conclusion is reached by a comparison of mail compensation upon any route exceeding 150 or 200 miles with railway compensation for carrying express matter or first-class freight.

In this comparison the railway has been allowed 50 per cent of the total charge for express, instead of 40 per cent, which is the contract rate. It is further shown in the report that the Pennsylvania Railroad carried daily an average weight per mile of 300,000 pounds of mail, or 150 tons, and received an annual compensation of $3,422 per mile of line. The question arises, Can the Pennsylvania Railroad afford to carry the mail between New York and Philadelphia for less than $3,422 per mile of line, or $83.75 per mile of line per day? The answer depends primarily upon the manner in which the freight is to be moved. If we assume that the mail is to be carried by postal cars, with about 2 tons to each, it is doubtful if the railroad could afford to render the services more cheaply, but on the other hand, should the cars be loaded with, let us say, 3½ tons of mail, the railroad company operates on a margin of profit that warrants a reduction of pay. The calculation upon which the above conclusions rest is as follows: At 2 tons per car, 150 tons of mail demand that 78 cars be passed over each mile of this route daily. Seventy-eight cars would make eight trains.

The average cost per train mile, all operating expenses being taken into account on all trains, is a little under $1, but we will call it $1. The New York Central gives the rate per passenger train per mile at 73 cents. This would make $8 per mile per day chargeable to operating expenses. If to this were added 33 per cent for fixed charges and dividends, improvements chargeable to income, investments, and the like, we should have $10.40 per mile, which, multiplied by 365, would give us $3,796 per mile per year from mail service. This you will notice is in excess of the amount which this route actually receives. If, now, the assumption be changed, and each car loaded with 3½ tons instead of with 2 tons of mail, a similar computation shows, by the rate we expend for this mail service, an annual sum per mile of line of $2,427.25. Were it possible to load 5 tons to a car the expense would be $1,533 per mile of line.

I have shown that on these routes the average weight is not 5 tons, but more than 7 tons. Mr. Adams finds that with a 5-ton load to a car the expense would be per mile of line $1,533, and the earnings for the estimated weight of 300,000 pounds would be $3,422 per mile of line, or a clear profit over all expense of $1,889 per mile of line.

For these reasons I believe that Congress is fully justified in making a heavy reduction, even heavier than has been proposed by the majority, on the lines where the traffic is dense, but I submit that there is no evidence whatever that any reduction is justified, and that there is no excessive pay on the light roads carrying less than 5,000 pounds as a daily weight.

If the opportunity, therefore, be offered I shall support an amendment to this bill leaving the statute as to the method of computing the daily average weight as it is, and under which the weight has already been ascertained for three years to come on some of the most important lines of the country, and substituting a straight percentage reduction on the roads carrying more than 5,000 pounds and a still heavier reduction on roads carrying more than 48,000 pounds. I am willing, on those routes, to reduce 20 per cent or 30 per cent or even more, because I believe that in view of the method of transportation that they are grossly overpaid under the present rate. They are paid more than twice as much as the transportation costs.

These are the facts, and no one has controverted them. The claim now made that the railroads should have been heard seems strange under the circumstances. We, at their request, set aside two days for a hearing, and when the time came they failed to put in an appearance. They offered no evidence. They evidently thought it was more to their interest to claim "we had no hearing." The fact is, they had the opportunity to be heard and refused to submit proof.

Now, Mr. Chairman, there is to-day sufficient to any fair-minded man, in my opinion, to justify a reduction upon the dense routes. The only objection I have to the proposed reduction of 5 and 10 per cent is that is not great enough. I believe the evidence amply justifies my proposition which I introduced in this House of 20 per cent reduction for these roads.

Mr. CROMER. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. CROMER. If the divisor suggested by the gentleman from Kansas is adopted, will it reduce the railway mail pay?

Mr. STEENERSON. It will indirectly, for it will reduce the average daily weight one-seventh. Consequently when you reduce the daily weight you reduce the pay, but it is objectionable for this reason—that we have four weighing divisions. One division is weighed this year and another the next year, and if a contract is entered into for four years you can not change the process of weighing after you made the contract. So you could not have the weight changed in the country for four years; it would be four years before you could enforce fully the Murdock proposition. The gentleman from Kansas stated before the committee that it would take four years, and therefore he would save only one-quarter of the $5,000,000 dollars and for four years we would be running on an inequality. In some division on the old divisor, some on the new. Now, it seems to me when we can accomplish a 14 per cent reduction just as easy without disturbing the system of ascertaining the average daily weight that has been in vogue for forty years that is the right way to accomplish the object that we have in view. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one minute.

Mr. STEENERSON. I want to thank the House for the attention it has given me. I should have liked, and if you could by some means arrange to give me another hour, I should be most delighted to continue the discussion, both of the divisor and all these questions.

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

Mr. GOEBEL. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

Mr. STEENERSON. I felt that it was not right to let this charge that by a false and erroneous and unjustifiable interpretation of the statute the Post-Office Department had "robbed" the Treasury of so vast a sum of the people's money, go unnoticed. I have so high a regard for the gentleman from Kansas that I was really grieved when he repeated the same accusation, after two months' reflection, here yesterday. In view of the fact that the postal authorities were acting under the advice and on the authority of the Department of Justice, it seems to me strange, if not reckless, in the gentleman to still maintain his accusation. Without hesitation he overrules the highest legal authority in the Government, outside of the judiciary, an authority that the Post-Office Department was bound to respect.

I am satisfied the charge is utterly unfounded; but for the sake of those who are misled by the apparent complications of the question I hope it will again be submitted to the Department of Justice. [Applause.]

The CHAIRMAN. There is no time to extend, and the gentleman from South Carolina is recognized for thirty minutes.

Mr. FINLEY. Mr. Chairman, two hundred and nine million four hundred and sixteen thousand eight hundred and two dollars is a very large amount of money to be carried in one appropriation bill, but this is the amount called for in the bill under consideration for the support of the Post-Office Department for the fiscal year beginning July 1 next. It has been correctly stated that this is the greatest amount of money ever reported to Congress in a single bill. This is a great country, having a population of possibly 86,000,000, exceeding in material wealth any other two countries in the world, and in possible development far exceeding any one of them.

On pages 6, 7, and 8 of the Postmaster-General's report is a statement showing the revenue and expenditures of the Postal Service during the past fiscal year. The revenues were $167,932,782.95, and the expenditures for the year ending June 30, 1906, $178,270,103.02; excess of expenditures over receipts, $10,337,320.07. There can be no question that the prosperity of the country is reflected in the postal receipts. The increase in the revenue during the past fiscal year was the greatest in the history of the Service and amounted to $15,106,197.85, or 9.88 per cent as compared with 6.42 for the preceding year.

For the third quarter the receipts exceeded the expenditures by $286,724.46. I believe that in three or four years at most, if the present growth of the Service continues, the Post-Office Department will be self-sustaining. Not only this, but will be so notwithstanding the burden of performing the Government service in the way of carrying penalty mail and mail under frank without any compensation. This service amounts probably from fifteen to seventeen millions of dollars anually. Giving the Post-Office Department credit for this service there is no postal deficit to-day. There is one observation I wish to make in speaking of the postal deficit, and it is interesting considered in connection with railway mail pay. The present law fixing railway mail pay was enacted in 1873, together with the law fixing railway post-office car pay or rent. It was found that under this law the railroads receive more than a reasonable pay for the service rendered.

In 1876 Congress reduced this pay 5 per cent, and it was found that the pay was still too high, for the reason that in the year following the deficit was nearly 22 per cent. So that in 1878 Congress again reduced railway mail pay by making a horizontal reduction of 10 per cent. Since that time no reduction in railway mail pay has been made, notwithstanding the fact, beginning with about 1880 or 1882, there has been a large reduction in freight and passenger rates by the railroads. In 1882 the average receipts per ton per mile for freight carried 1 mile by the railroads was 1.24 cents. In 1903 the average was 0.78 of 1 cent, a reduction of more than 37 per cent during this period, and, I may add, there has been a corresponding reduction in passenger rates and also in express charges. In 1877 the entire postal revenue was less than $27,500,000.

Provision has been made in the bill for 28,728 clerks and 25,530 city letter carriers in first and second class post-offices. The salary of these employees is increased $3,700,000, in round numbers. The pay of 15,222 railway mail clerks is increased by $1,452,083, and the salary of 42,646 rural delivery carriers is increased $3,722,310. In all provision is made for the increase in the salaries of 112,106 employees in the four classes mentioned.

Mr. Chairman, I think the Post-Office Committee may congratulate itself for the way it has been treated by the House in the discussion of the bill appropriating money for the postal service for the ensuing fiscal year. No criticism has been heard in the debate.

We have differed among ourselves, and I think that speaks for progress. If we came here with great propositions like there are contained in the bill now under consideration, agreeing unanimously, standing together as one man, without any difference of opinion, without any variation in thought or argument, all standing together, I do not think there would be much in the bill that would speak for progress or for the advancement of the postal service of this country.

Briefly summing up the most important matters contained in this bill, I might mention first the increase of salaries; next, the decrease in railway-mail pay. Now, some newspapers and some individuals outside of the House have thought fit to charge that the Post-Office Committee saw fit to increase the salaries of post-office clerks, city carriers, railway-mail clerks, and the rural delivery carriers, and then endeavor to recoup the Government by deducting as large an amount as possible from the railroads to make up this increase of expenditure.

I want to say, speaking for myself, Mr. Chairman, and I believe for every member of the majority reporting the bill, that this charge is unfounded. It is true that salaries paid to the employees of the Government, the classes I have mentioned, are increased. To-day more money is required to defray the necessary expenses of living for the individual than at any time in the past thirty-five years. So that the Post-Office Committee believes that the increase of salaries should be made and they have gone about this matter in a way that they think right and proper, and I take it that the fact that no voice has been raised in the consideration of this bill in condemnation of the action of the committee is proof that what we did appeals to the judgment of the Members of the House. In the matter of clerks in city post-offices it is a fact that during the past year the number of resignations in this branch of the service has been continually on the increase.

Now, there must be some cause for this condition, and it is simply this, that clerks in city post-offices, on account of the increased cost of living and on account of the salary to be obtained in the business walks of civil life, have found that they could make more money outside the Government service, and the better class of clerks are constantly leaving it.

Mr. Chairman, a man in civil life has every avenue open to him. He has that which comes to every American citizen, opportunity to the individual, and if he makes use of it he can go on and build himself up and acquire a competency. But take the man in the Government service in one of the city post-offices. What opportunity is there for him? His salary is limited, and I think that statistics show that to-day it is fixed too low, so that in order to do justice and even up the employees in the service of the Government and give to them an increase is necessary and proper.

What I said in reference to city post-office clerks is equally applicable to city carriers. It is more emphatically applicable to the rural delivery carrier. The Post-Office Committee, I believe, have brought into this House, in my judgment, with possibly a few exceptions, in the classification and promotions they provide in the bill, the very best bill that can be obtained, everything considered. We provide in post-offices where the receipts do not exceed $50,000 that the clerks and carriers shall have classification and compulsory promotion from $600, the entrance salary, to $900, and while I am one of those who do not believe that $50,000 was the right sum to fix as a maximum for the smaller offices—I think $40,000 is the proper sum—I submit that in the scheme of classification and compulsory promotion provided for in the bill that clerks and carriers are given a standing and position which insures to them their rights in the Government service.

Heretofore promotions of a clerk in a classified post-office depends to-day, more than anything else, on the favor of the postmaster of his office. The Post-Office Committee does not believe that this should be. We believe that a man in a city post-office, clerk or carrier, that the only requisite for his promotion should be efficiency of service and the length of time he has been in the service. So that I do not think that it is necessary to take up the time of the Committee of the Whole in defending the action of the committee in providing classification and compulsory promotion of clerks and carriers in first and second class offices.

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

The CHAIRMAN. Does the gentleman yield?

Mr. FINLEY. Certainly.

Mr. CROMER. Does the gentleman know that under the present law that in cities of less than 75,000 inhabitants a carrier in the first six years of his service receives $50 more than he will receive under the classification given by the committee.

Mr. FINLEY. I understand the gentleman's contention and I will explain that.

Mr. CROMER. And in cities above 75,000 that he receives more in the first eight years——

Mr. FINLEY. I am familiar with the contention. I say this to the gentleman, that my personal opinion is that the grade $700 should be abolished as to both clerks and carriers. I think it should be eliminated from the bill, and that the clerk and the carrier should go from $600 to $800, but I am only one member of the Post-Office Committee. The majority thought otherwise, but I may say to the gentleman this, that the provision in the bill providing for the classification and compulsory promotion is infinitely better for the rank and file of present clerks and carriers in the service than the law is to-day, so that, Mr. Chairman, going to the increase of salary for rural carriers, they are resigning at a rate that threatens the efficiency of the service in some sections of the country. I believe between four and five thousand resigned last year. It is claimed that where one resigns there is always somebody to take his place, but that is not absolutely true. In some instances, a few I will say, routes have been temporarily discontinued because of the fact that carriers could not be obtained at the salary provided by law, to wit, $720 annually.

Not only this, but these employees of the Government are entitled to more pay than they receive to-day, because they perform service entitling them to increased pay. Voicing my individual opinion, I may say that the salary should be $900 at least. I believe that because I believe that they perform services which entitle them at least to this much compensation. These employees have no classification. They have no thought of promotion. They furnish their own equipment, horse and vehicle. They support themselves. The report of the Postmaster-General and the statement of the Fourth Assistant Postmaster-General in the hearings show that, approximately speaking, they spend about $300 annually on their equipment and keep of same, leaving only something like $420 for their individual compensation over and above expenses.

The railway mail clerks are provided for in the increase, and I may say that not a word has been spoken anywhere against this increase. Of all the Government employees, the people engaged in the Railway Mail Service perform the hardest and most laborious work, and a service of the greatest danger and risk. And I believe that the time will never come when the American Congress will fail to provide for these people in a proper way.

Now, as to the reduction of railway mail pay. The committee did the very best that it could, and finally brings into the House by a majority report the provisions contained in the bill. First, on the average daily weight of mail, on routes carrying 5,000 pounds and not over 48,000 pounds, a reduction of 5 per cent; on all routes in excess of 48,000 pounds and not in excess of 80,000 pounds, 10 per cent. And on each ton over 80,000 pounds, a flat rate of $19 per ton. The law to-day is $21.37 per ton. I believe, and am satisfied, that this is right, and I have the highest proof of the fact in the action of the House on yesterday. So, Mr. Chairman, I do not propose to take up the time of the committee in discussing what the House of Representatives indorsed by a unanimous vote in the passage of a rule on yesterday practically incorporating into the bill the provisions I have alluded to, with some slight modifications.

Now, there are other matters in the bill. One of these is the proper weighing of the mail. And I approach this subject without a great deal of diffidence.

But I want to say this, that the majority of the Post-Office Committee believe that when the mails are weighed for 105 days, to divide by 105 in order to ascertain the daily weight of the mail is correct, and some believe that the law does not need any amendment. I am one of the latter. I believe that when the law requires the mail to be weighed for not less than 90 consecutive working days, and the mail is actually weighed on a route for 90 days, including week days and Sabbath days, that the proper divisor to ascertain the average daily weight of the mail should be 90. The practice of the Department to-day is to weigh for 105 days and then to divide by 90, because they claim that the Sabbath day can not be taken in contemplation of law as a working day. Well, generally speaking, it is not. In the statutes of this country, and in the statutes of every State in the Union, generally speaking, it is not. It is a day of rest. But, Mr. Chairman, when work is done on the Sabbath day in transporting and in weighing the mails, when as much mail is carried on that day as is carried on Monday or on Saturday, or on any other day in the week, I submit that, practically speaking, and in contemplation of law, that the Sabbath day is a working day for this purpose.

I might add right here that personally I believe that it would be for the good of the people of this country if no mails were carried on the Sabbath day. I believe that the Government should not transport its mails on that day, and I believe that if Congress would prohibit this, the American people would indorse its action. Designating the Sabbath day a day of rest, when in point of fact as much work is done on that day as on any other day, is a fallacy. The practice is, I have stated, to weigh one hundred and five days. The statutes require weighing to be for ninety consecutive working days, and they weigh for one hundred and five days and eliminate the fifteen Sabbath days included in that time and divide by ninety. This gives in these cases one-seventh more weight and one-seventh more pay.

But, Mr. Chairman, the fallacy of the argument contending that you should weigh the mail for seven days and divide by six is shown by the fact that you might just as well divide by any other number than six. You would as well divide by five, or by four, or by three, and the Post-Office Department practice, where their service is for three days, and the mail is weighed, is to divide by six. Why do they not divide it by two or by three, or some other divisor? Why not? I can see no reason for that. If the mails of the United States were only carried on six days of the week, the railroads would receive the very same pay they do to-day, as a whole, under the present practice, because the weight of the mail is the amount of average of daily weight. Take a route that carries mail six days in a week and one that carries mail seven days. If in the course of the week the same amount of mail is carried on both roads, they would receive the same amount of money. Yes. But the road that carried six days in the week would carry more mail by one-sixth on each of its six days than the road that carried the mail for seven days in the week.

So I think that this discussion, while it is interesting, and while it may be fruitless, as we have pretty certain indications that points of order are going to be made, I believe the Post-Office Department can regulate this matter. If they have been practicing thirty years and more something that is contrary to law, and which has cost the Government a great deal of money, the Department can not itself regulate this, but to make sure that which is doubted by some, I am in favor of so amending the law that there can be no doubt about it.

How much time have I consumed, Mr. Chairman?

The CHAIRMAN. The gentleman has twenty-two minutes remaining.

Mr. FINLEY. Mr. Chairman, I do not undertake to say that the Post-Office Committee should agree and that the House should be of one mind on all of these great questions. I wish to be fair to the railroads and just to the people. I want to call the attention of the House, in connection with this, to another matter, which is of very great importance, one that Congress and various individuals throughout the country have come up against time and again, and that is the question of second-class postage.

The members of the Post-Office Committee approached this subject with a great deal of care. It is a very important matter. Speaking for myself, I would do nothing that would unreasonably or wrongfully lay the pressure of a finger upon the great newspapers and periodicals of this country. I have stated before that the welfare, the prosperity, and the perpetuation of free institutions in this country is largely in the keeping of the press——

Mr. CAMPBELL of Kansas. Mr. Chairman, I have had a great many letters and protests from newspaper men from my district and in the State, and I assume that other Members of this House have had similar letters and protests.

Mr. FINLEY. I can join with the gentleman in that.

Mr. CAMPBELL of Kansas. Protests against what they charge to be unjust to the newspapers of the country. I wish the gentleman from South Carolina would go into that matter, and explain to the committee what has been done.

Mr. SULZER. Mr. Chairman, I would like to ask my friend a question.

Mr. FINLEY. Certainly.

Mr. SULZER. Does the present bill, in regard to the newspapers of the country or the Department regulations, change the existing law or change the existing rules of practice in any way?

Mr. FINLEY. The Post-Office appropriation bill does not in the slightest degree change the second-class postage rate, or in any way interfere with the rights and privileges of the newspapers of this country.

Mr. SULZER. That is what I understand.

Mr. FINLEY. They stand to-day where they have stood for years, and I was coming to discussion of that subject.

Mr. SULZER. Right in that connection, and before you come to that discussion, I understand that the Postal Commission, which examined into this question, have recommended a change in the existing law on different things.

Mr. FINLEY. If the gentleman will bear with me, I was coming to that.

Mr. SULZER. I would like to hear the gentleman on that.

Mr. FINLEY. At the last session of Congress a Postal Commission was appointed, consisting of three members of the House and three Senators. They proceeded, had lengthy hearings, took testimony; and in connection with that subject they considered the question of railroad mail pay. Now, a great many people will think it a remarkable fact that the Postal Commission should do this. Appointed to investigate second-class mail and wind up with the recommendation as to railway mail pay. I want to say what, in my opinion, every gentleman in this House knows, that there is a very close relation between second-class mail and railway mail pay. It is a remarkable coincidence that of the total weight of the mail, excluding equipment, second-class mail constitutes a fraction over 28 per cent; and you will bear in mind that the equipment is something like 46 or 47 per cent. The weight of second-class mail is a fraction over 28 per cent of the total mail, and the railway mail pay is a fraction over 28 per cent of the total cost of the postal service.

It is true that there is a close relation between the two in conducting the postal service of the United States. Now, in this country there is a difference of postage. Second-class mail pays 1 cent per pound, first-class mail pays 2 cents an ounce, or fraction thereof, and the difference is very great. But in paying the railroads for carrying the mail the Government pays the same price per pound for carrying a newspaper or a book or print of any kind that it pays for carrying a letter with a 2-cent stamp on it. Now, this practice does not prevail in all countries. In fact, I may say to a limited extent it does not prevail in the ocean-going mail from this country. There, as I remember, the rates are for prints 7 cents a pound and for first-class mail 44 cents a pound. A difference is made in paying for the transportation of the various classes of mail.

Now, whether or not it is best to make a difference in the pay to the railroads for transporting various classes of mail, and if so, what the difference should be, and what the various rates should be, that is one proposition. On the other hand, whether or not the second-class postage should be burdened with an additional charge, is another proposition.

Mr. CAMPBELL of Kansas. Just in that connection, do we

pay the same to the railroads per pound for carrying merchandise that we do for carrying letters?

Mr. FINLEY. Oh, yes; the Government pays the same rate of postage for all classes of mail.

Mr. CAMPBELL of Kansas. So if we carry 4 pounds of merchandise it is worth just as much to the railroads as 4 pounds of letters.

Mr. FINLEY. When the Post-Office Department carries 4 pounds of merchandise for a citizen of the country it costs the Government just as much as it would to carry 4 pounds of letters.

So, Mr. Chairman, this question has been in the minds of the American people for some years, and I think it is well that Congress has been considering the matter. I could go on discussing this question for quite a while, but there are some other matters that I wish to touch upon.

There is a further provision in the bill with reference to empty mail bags, practically speaking, requiring the railroads to transport empty mail bags free, on the principle that express companies transport crates, baskets, casks, etc., free that have previously gone over the route filled with merchandise. Now, this is new legislation. Whether or not a point of order will be made upon it I do not know.

Mr. JAMES. That could have been included in the resolution which was adopted yesterday.

Mr. FINLEY. There is no doubt about that. Every new proposition of legislation contained in the post-office appropriation bill might have been so included.

Mr. JAMES. Can the gentleman explain to the House why it is that all that was not done and all this money saved to the public Treasury?

Mr. FINLEY. Well, I will say to the gentleman that while he has not been in Congress as long as my friend from Missouri [Mr. CLARK] and myself, he knows as much about that subject as anybody else. In order to do this it would have been necessary to obtain the assent or consent of the member of this House highest up, and it would be impossible to do it without that. We did all that we could do when the rule passed by the House on yesterday was secured. But in discussing this matter of empty mail bags, I want to say that there is a provision in the law to-day in which I take some pride. I believe that I was largely instrumental in originating this proposition and bringing about its incorporation into the post-office appropriation bill last year. That provision is as follows:

For pay of freight or expressage on postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the postal service, except postage stamps, $250,000. And the Postmaster-General shall require, when in freightable lots and whenever practicable, the withdrawal from the mails of all postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the postal service, except postage stamps, in the respective weighing divisions of the country immediately preceding the weighing period in said divisions, and such postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the postal service, except postage stamps, shall be transmitted by either freight or express.

I believe that if the law is fairly and efficiently enforced that the saving to the Government will be as much as the saving will be from the reduction of railway-mail pay. It is the law to-day and no point of order can be made against it. I believe that when it is in operation, as it will be after the 1st of July—the weighing is going on in the western division now, and they are necessarily operating under it—that after the 1st of July and annually thereafter, the benefit to the Government and the saving in the railway-mail pay arising from the operation of this law will be very considerable, and I do not regard the provision in the bill with reference to requiring them to carry empty mail bags free as anything like as important as the other provisions in the bill for the reduction of the pay to the railroads.

Mr. GAINES of Tennessee. Will the gentleman yield for an interruption?

Mr. FINLEY. I will, but I have only a short time.

Mr. GAINES of Tennessee. The gentleman speaks about carrying the mail bags by express being cheaper. I have here a bill for oranges handed me yesterday by a gentleman from Philadelphia—"40 boxes, at $2.50 a box, $100. Express on 38 boxes to Philadelphia, $2.83 a box, $83.60." That does not look like a cheap way of transporting things from Florida.

Mr. FINLEY. This provision provides for the transportation by freight as well. So that, Mr. Chairman, I think that what was done last year, and what we are putting into this bill, will accomplish much in the way of reducing the pay to the railroads to something like a fair basis. When these provisions of law are in operation I think there will not be so much reason to make a charge that the railroads are overpaid.

The charge has been made in the press of the country and elsewhere that the Post-Office Committee refused the railroads a hearing. This charge is untrue, and in justice to the committee, I think the House and the country ought to know it. When the railroads asked for hearings on the proposition, we accorded them time and set aside two days to hear the railroads. When the time came, they did not take advantage of the offer. On the contrary, the statement was made for them that they would submit to the 5 and 10 per cent reduction, and asked that the Postal Commission's recommendation of a flat rate above 80,000 pounds per day be fixed at $19 per ton instead of $18. I do not think it fair to the Post-Office Committee for these charges to be heralded throughout the country branding the committee as not being willing to treat the railroads fairly and justly. The railroads desired no hearing upon the reduction, but were willing to accept the 5 and 10 per cent reduction and the $19 per ton rate.

Mr. GAINES of Tennessee. When do they weigh the mail?

Mr. FINLEY. There are four weighing divisions and they weigh one division every year.

Mr. GAINES of Tennessee. But what is the date of the weighing?

Mr. FINLEY. The Department fixes that at some time when it is supposed that they will obtain an average mail.

Mr. GAINES of Tennessee. Does the gentleman think that they ought to fix it at this time when we are sending boxes and heavy mail?

Mr. FINLEY. Oh, no; but I haven't time to go into that.

Mr. GAINES of Tennessee. I do not think they should.

Mr. FINLEY. There is another matter, Mr. Chairman, which I wish to mention briefly and that is the matter of salary also. The largest class of postal employees, the class which is poorest paid and comes nearer working for the United States Government for nothing, is the fourth-class postmasters, and I will say now, what I have believed for years, that the compensation of these people should be increased.

I am very glad to know that there is a distinguished gentleman in the Post-Office Department, one in whose sense of fairness I have great confidence, in the hearings stated that the compensation, in his judgment, was very low; and I hope that Congress, the next time that it deals with salaries, or with the compensation of postal employees, will not forget the great army of 65,000 men and women, the fourth-class postmasters, whose compensation in the majority of cases is to-day much lower than it should be, and in every instance lower than the compensation paid other postal employees of the Government. I hope that this injustice will be remedied soon.

Mr. SPERRY. And under the laws of the Department they are forced to be there all the time and give their full attention, are they not?

Mr. FINLEY. They are, practically speaking, and they are required to furnish to the Government free an office building. They are required to furnish their own light, heat, and fuel, generally speaking. And as a whole, considering their compensation, and comparing it with the compensations paid to other classes of the postal service, they are the very poorest paid. One thing I neglected to say, or did not think of saying, but it is true, is that Congress in dealing with the postal service acts upon the principle that if an office is small no particular consideration should be paid it or reasonable compensation paid for services performed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. OVERSTREET of Indiana. Mr. Chairman, I yield twenty minutes to the gentleman from Illinois [Mr. LORIMER].

Mr. LORIMER. Mr. Chairman, I understand the purpose of the increase of the salary appropriation is to better the financial condition of all the post-office employees. I wish to call the attention of the chairman of the committee and its members to the effect the change proposed in this bill will have on the letter carriers, and hope the chairman will propose an amendment to remedy its defects.

The changes proposed will increase the salaries of the carriers who now receive $1,000 per annum in the large cities and $850 in the small cities, but it will decrease the income of all carriers who do not now receive the maximum salaries in either the first or second class cities. They number between 6,500 and 7,000, or about 30 per cent of all the carriers in the service of the Government, according to a statement made by the Postmaster-General under date of May 17, 1906, addressed to the Hon. BOIES PENROSE, chairman of the Committee on Post-Offices and Post-Roads of the United States Senate.

It can be seen from this table, beginning with the $600 grade in first-class post-offices, it would take nine years to earn the amount of money under the proposed law that would be earned in the same period of time under the present law.

	At present rate.	Proposed new rate.
First year	$600	$600
Second year	800	700
Third year	1,000	800
Fourth year	1,000	900
Fifth year	1,000	1,000
Sixth year	1,000	1,100
Seventh year	1,000	1,100
Eighth year	1,000	1,100
Ninth year	1,000	1,100
Total	8,400	8,400

In the second-class cities all carriers beginning at the $600 grade would have to serve seven years before the amount of money earned would equal the amount earned under the present law, as shown by this table that I submit:

	At present rate.	Proposed new rate.
First year	$600	$600
Second year	850	700
Third year	850	800
Fourth year	850	900
Fifth year	850	900
Sixth year	850	900
Seventh year	850	900
Total	5,700	5,700

These tables show that there will be no increase in the income of 30 per cent of the carriers in the first-class cities under the proposed law until the tenth year of their regular service and until the eighth year in the second-class cities.

It is also plain from these tables that the 30 per cent referred to will not only receive no increase in the next fiscal year, but will suffer a reduction of $100 in the large cities and $150 in the small cities.

In offices of the first class under the present law, at the end of six years, the average time it takes a carrier to reach the highest grade he can be promoted to, his earnings will amount to the following: Nineteen dollars per month as substitute, which is the average pay for twelve months, equals $228 per annum. Three years, average time served as substitute, equals $684, total earnings for three years as substitute; $600 first year of regular service, $800 second year of regular service, and $1,000 third year of regular service equal $3,084, the total earnings for six years which, divided by six, gives $514 as the average salary per year for six years.

In offices of the first class under the plan proposed in the post-office appropriation bill, at the end of six years the amount earned would be as follows: Nineteen dollars per month as substitute for twelve months equals $228 per annum, or $684, the total earnings for three years as substitute; $600 first year of regular service, $700 second year of regular service, and $800 third year of regular service, equal $2,784, the total earnings for six years, which, divided by six, gives $464 as the average salary per year for six years. Five hundred and fourteen dollars average under present law for six years, less $464, average under proposed law for six years, leaves $50 less average earnings per year for each of the six years, which in all amounts to $300 in six years in favor of the present law.

In small cities under the present law at the end of five years, the average time it takes a carrier to reach the highest grade he can be promoted to, his earnings will amount to the following: Nineteen dollars per month as substitute for twelve months equals $228 per annum, or $684, the total earnings for three years as substitute; $600 first year of regular service and $850 second year of regular service equal $2,134, the total earnings for five years, which, divided by five, gives $426.80 as the average salary per annum for five years.

In small cities under the plan proposed in the post-office appropriation bill, at the end of five years the amount earned would be as follows: Six hundred and eighty-four dollars, total earnings for three years as substitute; $600 first year of regular service and $700 second year of regular service equal $1,984 as the total earnings for five years, which, divided by five, gives $396.80 as the average salary per annum for five years. Four hundred and twenty-six dollars and eighty cents, average salary per annum under present law, less $396.80, average salary per annum under proposed law, leaves $30 less per year for each of five years under the proposed law, or $150 in five years in favor of present law.

To extend it out a little further, the first table shows that it will take nine years in the regular service under the proposed law for a carrier to earn an amount equivalent to that which he will earn under the present law. Adding to that table the three years he serves as substitute, it will be seen from the following table that he must serve twelve years under the proposed law to earn the equivalent of his earnings in twelve years under the present law, which is $9,084 in either case:

	Under the present law.	Under the proposed law.
For first six years	$3,084	$2,784
Seventh year	1,000	900
Eighth year	1,000	1,000
Ninth year	1,000	1,100
Tenth year	1,000	1,100
Eleventh year	1,000	1,100
Twelfth year	1,000	1,100
Total, twelve years	9,084	9,084

It is therefore obvious that there will be no increase of income under the proposed law until his thirteenth year of service.

I am discussing now, Mr. Chairman, the 30 per cent of the carriers. I propose to offer an amendment, Mr. Chairman, for the consideration of the committee, which I will ask the Clerk to read in my time.

The CHAIRMAN. The amendment will be read for the information of the committee in the time of the gentleman from Illinois.

The Clerk read as follows:

That hereafter the salaries of letter carriers in the city-delivery service shall be graded as follows:

In all cities which contain a population of 75,000 or more there shall be five grades, as follows: First grade, salary, $600; second grade, salary, $800; third grade, salary $1,000; fourth grade, salary, $1,100; fifth grade, salary, $1,200.

In all cities which contain a population of less than 75,000 there shall be four grades, as follows: First grade, salary, $600; second grade, salary, $850; third grade, salary, $900; fourth grade, salary, $1,000: *Provided*, That all carriers entitled to promotion under this act shall be promoted to the next highest grade on July 1, 1907, or at the beginning of the quarter following the expiration of a year's service in the next lower grade; but no promotions to the fifth grade shall be made in cities of more than 75,000 population, nor to the fourth grade in cities of less than 75,000 population until on and after July 1, 1908, when all carriers who have served one year of service in the next lower grade will be entitled to all promotions progressively.

Mr. LORIMER. Mr. Chairman, I submit as part of my remarks a list of offices where the carriers would only be raised $50 per annum to the $900 grade if the proposed plan is adopted, and it would take them four years to reach this grade, while under the present law they receive a maximum salary of $850 after serving one year at $600. If the amendment I propose is adopted, they will be brought up to $1,000 per annum.

The list is as follows:

Alabama.—Anniston, Bessemer, Florence, Gadsden, Huntsville, New Decatur, Selma, Tuscaloosa.

Arizona.—Phoenix, Prescott, Tucson.

Arkansas.—Fayetteville, Helena, Hot Springs, Jonesboro, Newport, Pine Bluff, Texarkana.

California.—Alameda, Bakersfield, Berkeley, Chico, Eureka, Hanford, Long Beach, Marysville, Modesto, Napa, Palo Alto, Petaluma, Pomona, Redding, Redlands, Riverside, Salinas, San Bernardino, San Luis Obispo, San Rafael, Santa Ana, Santa Barbara, Santa Cruz, Santa Rosa, Stockton, Vallejo, Watsonville, Woodland.

Colorado.—Boulder, Canyon City, Cripple Creek, Durango, Florence, Grand Junction, Greeley, La Junta, Leadville, Longmont, Rocky Ford, Trinidad, Victor.

Connecticut.—Ansonia, Bristol, Danbury, Derby, Greenwich, Middletown, Naugatuck, Norwalk, Norwich, Putnam, Rockville, South Manchester, South Norwalk, Stanford, Torrington, Wallingford, Willimantic, Winsted.

Delaware.—Dover.

Florida.—Gainesville, Key West, Miami, Ocala, Orlando, Pensacola, St. Augustine, Tallahassee.

Georgia.—Albany, Americus, Athens, Brunswick, Columbus, Cordele, Dalton, Dublin, Gainesville, Griffin, Marietta, Newnan, Rome, Thomasville, Valdosta, Waycross.

Idaho.—Boise, Lewiston, Moscow, Pocatello, Wallace.

Illinois.—Alton, Batavia, Belleville, Belvidere, Blue Island, Cairo, Canton, Carbondale, Centralia, Champaign, Charleston, Chicago Heights, Clinton, Danville, Dekalb, Dixon, Dwight, Freeport, Galena, Galesburg, Granite City, Greenville, Harvey, Highland Park, Hoopeston, Jacksonville, Jerseyville, Kankakee, Kewanee, La Grange, La Salle, Lincoln, Litchfield, Macomb, Mattoon, Maywood, Mendota, Monmouth, Morgan Park, Mount Vernon, Murphysboro, Naperville, Oak Park, Ottawa, Pana, Paris, Pekin, Peru, Pontiac, Princeton, St. Charles, Sterling, Streator, Sycamore, Taylorville, Urbana, Waukegan, Wheaton, Wilmette, Zion City.

Indiana.—Alexandria, Anderson, Attica, Auburn, Bedford, Bloomington, Bluffton, Brazil, Columbia City, Columbus, Connersville, Crawfordsville, Decatur, Elwood, Frankfort, Franklin, Goshen, Greencastle, Greenfield, Greensburg, Hartford City, Huntington, Jeffersonville, Laporte, Lebanon, Linton, Logansport, Madison, Martinsville, Michigan City, Mishawaka, New Albany, New Castle, Noblesville, North Vernon, Peru, Portland, Princeton, Rushville, Seymour, Shelbyville, Union City, Valparaiso, Vincennes, Warsaw, Washington, Winchester.

Indian Territory.—Ardmore, Chickasha.

Iowa.—Ames, Anamosa, Atlantic, Boone, Carroll, Cedar Falls, Centerville, Charles City, Cherokee, Clarinda, Clinton, Creston, Decorah, Esterville, Fairfield, Fort Dodge, Fort Madison, Grinnell, Independence, Iowa Falls, Le Mars, Lyons, Marion, Mason City, Mount Pleasant, Muscatine, Newton, Oelwein, Osage, Oscaloosa, Red Oak, Sheldon, Shenandoah, Washington, Webster City.

Kansas.—Abilene, Arkansas City, Beloit, Chanute, Cherryvale, Clay Center, Coffeyville, Concordia, Emporia, Fort Scott, Galena, Girard, Great Bend, Hiawatha, Hutchinson, Independence, Iola, Junction City, Leavenworth, McPherson, Manhattan, Newton, Olathe, Ottawa, Parsons, Pittsburg, Salina, Wellington, Winfield.

Kentucky.—Ashland, Bowling Green, Danville, Frankfort, Henderson, Hopkinsville, Mayfield, Maysville, Owensboro, Paris, Winchester.

Louisiana.—Alexandria, Baton Rouge, Crowley, Lake Charles, Monroe, New Iberia.

Maine.—Auburn, Bar Harbor, Bath, Belfast, Biddeford, Brunswick, Gardiner, Houlton, Rockland, Rumford Falls, Skowhegan, Westbrook.

Maryland.—Annapolis, Cambridge, Easton, Frederick, Hagerstown, Salisbury, Westminster.

Massachusetts.—Adams, Amesbury, Amherst, Andover, Athol, Attleboro, Beverly, Chicopee, Chicopee Falls, Clinton, Concord Junction, Danvers, Dedham, East Hampton, Franklin, Gardner, Greenfield, Hudson, Hyde Park, Leominster, Marblehead, Marlboro, Medford, Middleboro, Milford, Natick, Newburyport, North Abington, North Attleboro, Norwood, Orange, Peabody, Plymouth, Reading, Rockland, Southbridge, South Framingham, South Weymouth, Stoneham, Wakefield, Ware, Watertown, Webster, Wellesley, Westboro, Westfield, Winchester, Woburn.

Michigan.—Adrian, Albion, Allegan, Alpena, Benton Harbor, Big Rapids, Cadillac, Calumet, Charlotte, Coldwater, Dowagiac, Escanaba, Grand Haven, Hancock, Hastings, Hillsdale, Holland, Houlton, Iona, Ironwood, Ishpeming, Ludington, Manistee, Marquette, Menominee, Monroe, Mount Clemens, Mount Pleasant, Niles, Owosso, Petoskey, Pontiac, Saginaw West Side, St. Clair, St. John, St. Joseph, Sault Ste. Marie, South Haven, Three Rivers, Traverse City, Wyandotte, Ypsilanti.

Minnesota.—Albert Lea, Austin, Bemidji, Brainerd, Crookston, Faribault, Fergus Falls, Hibbing, Lake City, Little Falls, Mankato, Moorhead, New Ulm, Northfield, Owatonna, Red Wing, Rochester, St. Cloud, St. Peter, Sleepy Eye, Stillwater, Willmar.

Mississippi.—Biloxi, Clarksdale, Columbus, Greenville, Greenwood, Hattiesburg, Natchez, West Point, Yazoo City.

Missouri.—Cape Girardeau, Carrollton, Carthage, Chillicothe, Clinton, Columbia, Fulton, Hannibal, Independence, Jefferson City, Kirksville, Louisiana, Macon, Marshall, Maryville, Mexico, Moberly, Nevada, Poplar Bluff, St. Charles, Sedalia, Trenton, Warrensburg, Webb City.

Montana.—Anaconda, Billings, Bozeman, Great Falls, Kalispell, Livingston, Missoula.

Nebraska.—Beatrice, Columbus, Fairbury, Fremont, Grand Island, Hastings, Kearney, Nebraska City, Norfolk, York.

Nevada.—Reno.

New Hampshire.—Claremont, Dover, Exeter, Franklin, Keene, Laconia, Portsmouth, Rochester, Somersworth.

New Jersey.—Arlington, Bloomfield, Burlington, Cape May, Cranford, Dover, Englewood, Freehold, Gloucester City, Hackensack, Haddonfield, Lakewood, Long Branch, Madison, Merchantville, Millville, Moorestown, Mount Holly, Newton, Ocean City, Ocean Grove, Perth Amboy, Philipsburg, Princeton, Rahway, Red Bank, Ridgewood, Rutherford, Salem, Somersworth, South Orange, Summit, Vineland, Washington, Weehawken, Westfield, West Hoboken, Woodbury.

New Mexico.—Albuquerque, East Las Vegas, Raton, Roswell, Santa Fe.

New York.—Albion, Ballston Spa, Batavia, Bath, Brockport, Canajoharie, Canandaigua, Carthage, Catskill, Cohoes, Cooperstown, Corning, Cortland, Dansville, Dunkirk, East Aurora, Far Rockaway, Fort Plain, Fredonia, Fulton, Glens Falls, Gouverneur, Hempstead, Herkimer, Hoosick Falls, Hornell, Hudson, Ilion, Irvington, Johnstown, Leroy, Lestershire, Liberty, Little Falls, Lockport, Lyons, Malone, Mamaroneck, Medina, Middletown, Newark, New Brighton, Northport, North Tonawanda, Norwich, Nyack, Ogdensburg, Olean, Oneida, Oneonta, Ossining, Owego, Palmyra, Patchogue, Peekskill, Penn Yan, Plattsburg, Port Chester, Port Jervis, Port Richmond, Potsdam, Rensselaer, Rockville Center, Rome, Rosebank, Salamanca, Sandy Hill, Saranac Lake, Saugerties, Seneca Falls, Tarrytown, Tompkinsville, Tonawanda, Watervliet, Waverly, Wellsville, West New Brighton, White Plains.

North Carolina.—Durham, Elizabeth City, Fayetteville, Goldsboro, High Point, Kinston, Newbern, Rocky Mount, Salisbury, Statesville, Washington, Wilson.

North Dakota.—Bismarck, Jamestown, Minot, Valley City.

Ohio.—Alliance, Ashtabula, Athens, Barberton, Blair, Bellefontaine, Bellevue, Bowling Green, Bucyrus, Cambridge, Canal Dover, Canton, Chillicothe, Circleville, Conneaut, Coshocton, Defiance, Delaware, Elyria, Findlay, Fostoria, Fremont, Galion, Gallipolis, Greenfield, Greenville, Hillsboro, Ironton, Lancaster, Lebanon, Lorrain, Marietta, Marion, Martins Ferry, Massillon, Middletown, Mount Vernon, New Philadelphia, Niles, Norwalk, Oberlin, Painesville, Piqua, Portsmouth, Ravenna, St. Marys, Salem, Shelby, Sidney, Steubenville, Tiffin, Troy, Urbana, Van Wert, Wapakoneta, Warren, Washington Court House, Wellsville, Wilmington, Wooster, Xenia.

Oklahoma.—Altus, El Reno, Enid, Guthrie, Lawton, Perry, Shawnee.

Oregon.—Albany, Astoria, Baker City, Eugene, Oregon City, Pendleton, Salem, The Dalles.

Pennsylvania.—Ambler, Ashland, Athens, Beaver Falls, Bellefonte, Berwick, Bethlehem, Bloomsburg, Braddock, Bristol, Brookville, Butler, Cannonsburg, Carbondale, Carlisle, Carnegie, Chambersburg, Charleroi, Clearfield, Coatesville, Columbia, Connellsville, Conshohocken, Corry, Danville, Dubois, Franklin, Gettysburg, Greensburg, Greensville, Hanover, Hazletown, Homestead, Honesdale, Huntingdon, Indiana, Irwin, Jeanette, Kane, Kittanning, Lansdowne, Latrobe, Lewisburg, Lewistown, Lockhaven, McKees Rocks, Mahanoy City, Mauch Chunk, Meadville, Media, Monessen, Monongahela, Mount Carmel, Mount Pleasant, Nanticoke, New Brighton, Phillipsburg, Phoenixville, Pottstown, Punxsutawney, Ridgeway, Rochester, St. Marys, Sayre, Scottdale, Sewickley, Shamokin, Sharon, Shenandoah, Somerset, Steelton, Sunbury, Tarentum, Titusville, Towanda, Union City, Uniontown, Vandergrift, Wampum, Wayne, Waynesboro, Waynesburg, Wellsboro.

Porto Rico.—Mayaguez, Ponce, San Juan.

Rhode Island.—Bristol, Central Falls, East Providence, Westerly, Woonsocket.

South Carolina.—Anderson, Florence, Georgetown, Greenville, Greenwood, Rockhill, Spartanburg, Sumter.

South Dakota.—Aberdeen, Brookings, Deadwood, Huron, Lead, Mitchell, Pierre, Watertown, Yankton.

Tennessee.—Bristol, Clarksville, Columbia, Greenville, Harriman, Jackson, Johnson City, Murfreesboro.

Texas.—Abilene, Beaumont, Cleburne, Corsicana, Denison, Ennis, Gainesville, Greenville, Hillsboro, Laredo, McKinney, Marshal, Palestine, Paris, Sherman, Temple, Terrell, Tyler, Waxahachie, Weatherford.

Utah.—Logan, Ogden, Provo.

Vermont.—Barre, Bellows Falls, Bennington, Brattleboro, Montpelier, Rutland, St. Albans.

Virginia.—Alexandria, Bedford City, Charlottesville, Danville, Fortress Monroe, Fredricksburg, Hampton, Harrisonburg, Manchester, Newport News, Petersburg, Portsmouth, Staunton, Suffolk, Winchester.

Washington.—Aberdeen, Ballard, Bellingham, Everett, Hoquiam, North Yakima, Olympia, Vancouver, Walla Walla.

West Virginia.—Bluefield, Clarksburg, Elkins, Fairmont, Grafton, Huntington, Mannington, Martinsburg, Morgantown, Moundsville, Parkersburg, Sistersville.

Wisconsin.—Antigo, Appleton, Ashland, Baraboo, Beaver Dam, Beloit, Chippewa Falls, Eau Claire, Fond du Lac, Fort Atkinson, Grand Rapids, Green Bay, Janesville, Kenosha, Manitowoc, Marinette, Marshfield, Menasha, Menomonie, Neenah, Platteville, Portage, Rhinelander, Ripon, Sheboygan, Stevens Point, Superior, Watertown, Waukesha, Wausau, Wauwatosa, Whitewater.

Wyoming.—Cheyenne, Laramie, Sheridan.

Mr. LORIMER. The letter-carrier service differs from all other. They are required to serve as substitutes until regularly appointed. The average time of a substitute's service is three years. The average pay per month during this service is $19. They report for duty every day, wait around the office for such extra work as the postmaster may assign to them, or to take the place of a letter carrier who may be absent.

I submit this statement of the average daily and annual income of the carrier during a period of first twenty years' service under the proposed plan in cities where the annual gross receipts are in excess of $200,000: Nineteen dollars per month, average pay as substitute, for twelve months equals $228 per annum, or $684 earnings for three years as substitute; $600 first year of regular service, $700 second year of regular service, $800 third year of regular service, $900 fourth year of regular service, and $1,000 fifth year of regular serivce, making $4,684 as total earnings for eight years. One thousand one hundred dollars maximum salary per year for twelve years equals $13,200, earnings for twelve years at maximum salary, making $17,884 the total earnings for twenty years, an average of $894.20 per annum for twenty years, or an average of $2.45 per day for twenty years.

Under the change proposed in offices where the annual gross receipts are at least $50,000 and not in excess of $200,000 the average annual and daily salary of carriers will be as follows: Nineteen dollars per month, which is the average pay as substitute, for twelve months equals $228 per annum, or $684, earnings for three years as substitute; $600 first year of regular service, $700 second year of regular service, $800 third year of regular service, and $900 fourth year of regular service, making $3,684 as total earnings for seven years. One thousand dollars maximum salary per year for thirteen years equals $13,000, total earnings for thirteen years at maximum salary, making $16,684 the total earnings for twenty years, an average salary of $834.20 per year, or an average salary of $2.29 per day.

Under the change proposed in offices where the annual gross receipts are less than $50,000, the average salary of carriers for twenty years will be as follows: Nineteen dollars, average earnings per month, as substitute, for twelve months equals $228, average earnings per annum, or $684, earnings for three years as substitute; $600 first year of regular service, $700 second year of regular service, and $800 third year of regular service, making $2,784, total earnings for six years. Nine hundred dollars, maximum salary for fourteen years, equals $12,600, total for fourteen years at maximum salary of $900, making $15,384 the total amount earned in twenty years, an average salary of $769.20 per year, or an average of $2.11 per day.

When we consider that carriers serve three years at $19 per month as substitutes, we must know that they enter the regular service very poor and in debt to every person from whom they can borrow, and in many cases have mortgages on the very beds in which they sleep. It is not doing too much for them to amend the proposed law so as to conform with the present law, and to continue to promote them from the $600 grade to the $800 grade after one year of service, and from the $800 grade to the $1,000 grade after two years.

Such an amendment should prevail in common fairness to this intelligent and faithful set of men.

It is true the law provides that carriers shall work eight hours a day, but they actually put in twelve or more hours each day. They report at 6 in the morning and do not finish until 6 or later in the evening. They lay off from one-half to two hours at different intervals during the day, for which they receive no credit. It is time occupied just as much as though they were on their routes delivering mail.

When we consider further that carriers enter the service at an average age of 25 years and can only earn in the best twenty years of their lives under the proposed law in large cities $17,884, or an average of $894 per year, or $2.45 a day; in cities of 75,000 population, $16,880 in twenty years, or an average of

$834.20 per year, or $2.29 per day; in small cities, in twenty years a total of $15,384, or $769.20 per year, $2.11 per day, I am convinced the country will justify Congress in promoting the carriers to a maximum salary of $1,200 per year, and I hope the House will see the equity of this amendment and at last give these deserving men their just deserts.

Now, Mr. Chairman, I have no complaint of the action of the committee. I know this committee has put in a good deal of time preparing this very large appropriation bill, and it can not be supposed that they have gone into every little detail in connection with every item of appropriation contained in this bill, and so I submit these remarks in order that the chairman of the committee and his committee may give them careful consideration before we come to the final passage of this bill. I know that the clerks of this country are very much gratified—while they are not receiving under this appropriation all that they would desire—that the Committee on Post-Offices and Post-Roads have attempted to do something for them.

Mr. SOUTHARD. Will the gentleman submit to a question?

Mr. LORIMER. I will be very glad to do so.

Mr. SOUTHARD. I see you have made the maximum salary for the clerks $1,200 and for the carriers $1,100. What was the occasion for that?

Mr. LORIMER. I am not a member of the committee, and the chairman of the committee, I am sure, will be glad to answer the question. I say I know that the clerks are very much gratified at what the committee has done for them, and it is not in a spirit of complaining that I rise here to-day. I just wanted to call the attention of the committee to the conditions as they would be under the bill that they propose, and hope that they will make such recommendations as will rectify these faults in their present bill. I reserve the balance of my time and yield it back to the chairman of the committee.

The CHAIRMAN. The gentleman from Illinois reserves the balance of his time and yields it back to the chairman of the committee.

Mr. OVERSTREET of Indiana. Mr. Chairman, the time remaining for general debate, which is to close at 4 o'clock, I now yield to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, before addressing the House on the main subject to which I will later invite attention, that of the railway mail pay, I wish to make some passing mention on the increases of salaries provided for the personnel of the postal service.

Some criticism has been lodged against the committee recommendation in that our scale of promotion has not been sufficient to meet the demands of the country in this service. But I believe that the House and the country will appprove the statement that we have been most liberal in our allowances for promotions, and that no bill has ever before been presented to the House that carried a larger amount for promotions and extended increase of salary to a larger number of employees. When you stop to consider that the promotions and increases of salary that are provided in this bill extend to nearly 100,000 people you will get some idea of the scope of this service and of the benefits that will accrue from the committee's recommendation.

In the rural free-delivery service, for the standard route we have raised the salary $120, raising it from $720 to $840, or an increase of $10 per month. That is the maximum for the standard route which, as the committee knows, is 24 miles. There is a regulation of the Department that provides a graduated diminishing amount for routes of less than 24 miles, and carriers on those routes will benefit likewise by this increase of more than 16 per cent.

Coming to the question of the increases for the city letter carriers, under the provisions recommended by the committee there is not a letter carrier in the service who will not receive some increase of salary.

Mr. GOEBEL and Mr. LORIMER rose.

The CHAIRMAN. To whom does the gentleman from Wisconsin [Mr. STAFFORD] yield?

Mr. STAFFORD. First to the gentleman from Ohio [Mr. GOEBEL].

Mr. GOEBEL. Does the letter carrier of the first grade receive any increase?

Mr. STAFFORD. The letter carrier of the first grade does receive an increase.

Mr. GOEBEL. In what way?

Mr. STAFFORD. Because at present the law provides that the maximum pay for letter carriers in cities having a population above 75,000 shall be $1,000, while the bill recommended by the committee, as the gentleman is well aware, provides for an increase of $100, making the maximum $1,100.

Mr. GOEBEL. Oh, but the gentleman did not answer my question.

Mr. STAFFORD. I may have failed to grasp the purport of the question.

Mr. GOEBEL. I mean the letter carriers of the first grade.

Mr. STAFFORD. The letter carriers of those post-offices in cities above 75,000 population? Every carrier in the service in those cities having 75,000 population and a great proportion of the letter carriers in cities having 75,000 population receiving the maximum salary of $1,000 will by reason of this law on July 1 next be promoted to receive $1,100.

Mr. GOEBEL. The gentleman does not answer the question. My question was: The present salary is $600 in the first grade, and does the carrier receive an increase?

Mr. STAFFORD. I misunderstood the gentleman's designation of "first grade," thinking that he referred to those offices which carry the maximum salary in cities of 75,000 and over. No; I will say to the gentleman in answer to his query. We do not increase the starting point whatsoever as far as carriers are concerned, and with none of this character of employment save the rural letter carriers, where they will receive the maximum amount of $840, provided they are serving on a standard route, as soon as they enter the service, and except in the case of clerks in second-class offices. Heretofore it has been the rule, so far as the clerks attached to second-class offices were concerned, that they started at a salary of $400 and $500.

Now, the committee recommends the abolishment of those low grades, because we believed, following the recommendations of the Post-Office Department, that you can obtain and should obtain also in these smaller offices, men who are to be retained in the service years and years, of a higher grade of efficiency by starting them at a living salary of $600 rather than the salary which has been provided heretofore of $400 and $500. I now yield to the gentleman from Illinois [Mr. LORIMER].

Mr. LORIMER. Under the existing law carriers now serving in the first grade at $600 per year on the 1st day of next July will be promoted to $800 a year in large cities, and those residing in small cities of the first grade at $600 a year will be promoted to $850. Now, is it not a fact that under this proposed law the carriers working in large cities will only receive an increase of $100, and the same applies to the small cities, which would amount to a loss of $100 on the 1st of July to every carrier in large cities and to $150 to a carrier in small cities?

Mr. STAFFORD. I followed carefully the address made by the gentleman a few minutes before I began to address the committee as to the letter-carrier salary. There can be no question but what we provide in our scheme of increase of $100 yearly rather than at present of $200 in cities above 75,000 population, and of $250 in cities of the second grade, because we want to make this service uniform with the clerical service by providing that both the clerks and the carriers should receive promotion at the same time, and whenever the carriers shall be transferred into the clerical service or transferred from the clerical service into the carrier service they will be receiving the same grade of salaries as those in the corresponding service. We followed the rule which prevails as to clerks rather than as to carriers, believing that the assurance of $100 every year to carriers, that it would not detract any persons from entering into service, even though increase of salary would not be as great as heretofore.

But I want to impress upon the committee the fact that we demote the salary of no man in the service, but provide for an increase of salary for every carrier, whether he is a rural or city carrier, for every post-office clerk, and for every railway mail clerk, no matter in what grade of service.

Mr. LORIMER. Will the gentleman submit to one further question?

Mr. STAFFORD. Gladly.

Mr. LORIMER. Is it not a fact that when clerks go into the service now they become at once, within thirty days, under the present conditions, able to earn $600 a year, and where the carriers go into service the average service as substitutes is three years, when they must report every day and receive an average of $19 a month, which makes a difference in the carrier's service of three years as against that of allowing the clerks to get theirs within thirty days?

Mr. STAFFORD. In this bill we have sought to correct the inadequacy of payment which has prevailed heretofore, as far as the salaries of substitute carriers are concerned, by providing a new character of service, known as "auxiliary service," whereby we authorize the Department to employ for a minimum service each day of two or more hours these sub-

stitutes, so that they will not be compelled to live on starvation wages until they get into the regular service, and that this auxiliary service applies not only to the letter carriers, but applies likewise to the clerks.

It is the principle of this proposed legislation, and it is a principle which follows the recommendation of the Department to have these services interchangeable; to have the carrier take up some part of the work of the clerks, so that he can at times when in the post-office be occupied in clerical service. I can not take up so much time on this phase of the subject because I want to get to the subject of the railway mail pay.

Mr. NORRIS. The question that I want to ask you is about the one that you were talking about when you were diverted. I want to know specifically the position of the gentleman as to the exact increase given to carriers in post-offices of the second class.

Mr. STAFFORD. I will answer the gentleman that in so far as the grade of salaries for carriers are concerned they do not follow the same classification as post-offices of the second class and of the first class. There is a gradation on the basis of population, the dividing line being 75,000 population. So that letter carriers employed in cities which have a population of less than 75,000 under the present law receive a maximum of $850. The committee departs from the population plan, following the recommendation of the Department, and I believe the whole House will approve of the equity of the recommendation in departing from the population and taking up gross receipts as the determiner. Under the former plan an office would have to be determined, before entering the next grade, by reason of the census returns, which only occur every ten years.

We believe that the postal returns, the gross receipts of the office, are a more proper criterion to determine the character of the office than population. So we have taken the average gross receipts of $200,000, which correspond to the receipts of offices located in cities with 75,000, and then we create a new grade with $50,000 gross receipts as the dividing line. So where to-day letter carriers who are employed in offices having gross receipts of less than $200,000 and more than $50,000 the maximum salary received is $850, we provide a maximum salary of $850, and where the receipts are under $50,000 the maximum salary will be $900 instead of $850.

Mr. NORRIS. What is the limit now?

Mr. STAFFORD. The limit is $850.

Mr. NORRIS. So there will be a raise of $50 for carriers in second-class offices where the gross receipts are less than $50,000?

Mr. STAFFORD. In second-class offices and all in those first-class offices below $50,000 gross receipts, because $40,000 gross receipts form the dividing line between first and second class offices, and in all those first-class offices which have gross receipts above $50,000 and up to $200,000, where the carriers are to-day generally receiving $850 as the maximum, they will receive this coming year a $50 promotion and the next year to the limit of $1,000. So these carriers will have an opportunity for promotion in two years to the maximum of $1,000, while in the smaller offices, below $50,000, they will have their limit as $900.

Mr. NORRIS. That will be an increase of $50.

Mr. STAFFORD. It will be an increase in these offices of $50. Every carrier will receive that increase, and in most offices carriers receiving $850 will go to $1,000 in two years.

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

Mr. STAFFORD. I will yield to the gentleman from Indiana for one short question.

Mr. CROMER. By this bill clerks in post-offices whose gross receipts are less than $50,000 go to $900. Will you tell us how a clerk in that office can go to $1,000?

Mr. STAFFORD. A clerk can go in those offices having between $50,000 and $40,000 receipts, which latter amount is the line of demarcation between first and second class offices, not only to $1,000 but to $1,200, just the same as in this bill we provide for compulsory promotion of clerks in the largest offices to the $1,100 grade, which is the sixth grade, but nevertheless have another grade which is the seventh grade, of $1,200. We do not provide for compulsory promotion to that last grade, but we provide by appropriation an amount which will permit of the promotion of 50 per cent of these clerks now employed at $1,100. Now, to answer specifically the question of the gentleman, I will say that it will depend entirely upon the action of the Post-Office Department. If the Department approves, and the appropriations are made by Congress, there will be nothing to prevent a clerk in a second-class office, which is an office having less than $40,000 gross receipts, being promoted, not compulsorily, but at the discretion of the Department, to $1,000, and in an office between $40,000 and $50,000, up to $1,200, just the same as in any office of the first class.

Mr. CROMER. Is there any law now that enables the Department to increase the salaries of clerks? Are clerks graded by law at the present time?

Mr. STAFFORD. I will gladly answer the gentleman. I suppose from his long service on the Post-Office Committee he is acquainted with the fact that there is no law pertaining to the classification of clerks, and, as I stated a few minutes ago, the clerks in second-class offices started at $400 and $500, while under this bill we start them all at the same level of $600, and provide for compulsory promotion to $900—$100 each year—if they are employed in localities where the gross receipts of the office are under $50,000. If between $50,000 and $200,000, we provide for compulsory promotion for four years, to $1,000, and if above $200,000 gross receipts, then to the grade of $1,100, with promotions each year of $100. I do not believe that you will find anywhere in private employment any business which would make such a regular promotion in salary for like service as that which we provide in this bill by giving to every clerk and carrier a promotion of 16 per cent, basing it upon the lowest salary of $600 a year until they reach the maximum compulsory promotion salary provided in this bill.

Mr. KAHN. I understood the gentleman to say that the maximum pay of clerks in this bill is $1,200 and that the maximum pay of carriers is $1,100, and that the purpose of the committee was to have these people interchanged. Now, does the gentleman believe for a moment that a clerk who is able to receive a maximum salary of $1,200 in his particular line of endeavor will exchange with a letter carrier, who would only receive $1,100 at his best?

Mr. STAFFORD. Oh, yes; if the conditions are such as to impel the clerk to seek outdoor employment. It has been called to the attention of the committee time and time again that men are obliged to give up the arduous service in the railway mail, at a higher compensation, and accept lower pay in some clerical position that will permit them to remain at home, without the wear and tear consequent on traveling. My attention has been called to cases where by reason of confinement of clerks—and that service is dreadfully confining and arduous—that they will be forced and will gladly accept $100 less compensation for outdoor employment. So far as the carriers are concerned, if they wish to go into the higher grade and higher character of service, it is provided that they shall be transferred to the clerical service, allowing them to go in the same grade and then to be promoted and advance farther into the higher class of service, like superintendent, cashiers, and other employment of that character.

Mr. CROMER. Will the gentleman yield?

Mr. STAFFORD. I decline to yield further, for my time is getting short.

Mr. GRAHAM. I want to ask the gentleman just one question.

Mr. STAFFORD. I will yield to the gentleman for a very brief question.

Mr. GRAHAM. I want to ask the gentleman if he replied to the argument of the gentleman from Illinois in regard to the injustice done the carriers in the large cities?

Mr. STAFFORD. I intended to meet that argument; I do not know whether I fully met it or not. I hardly think my statement satisfied the gentleman from Illinois.

Mr. GRAHAM. Then the only chance we have is to move an amendment?

Mr. STAFFORD. I believe the committee recommendation is worthy of support.

Mr. CROMER. Now will the gentleman yield to me?

Mr. STAFFORD. I will yield to the gentleman for a question.

Mr. CROMER. How many clerks will have their salaries reduced by this bill?

Mr. STAFFORD. There is not a position in the service to-day, as I said a few moments ago, and if the gentleman had been following me——

Mr. CROMER. I have been following the gentleman.

Mr. STAFFORD. He would have heard, as I specially emphasized the fact, where there is any demotion in salary whatever as carried in this bill.

Mr. CROMER. How will the clerks in the second-class post-offices get $1,000 under this bill?

Mr. STAFFORD. Because they are provided for in the number of clerks carrying the salary of $1,000, just as the clerks that are now receiving $1,200, where there is no compulsory

promotion. They will receive the same $1,200 salary because we provide for the number of clerks receiving that salary, and provide 50 per cent of those employed now in the $1,100 grade to be advanced $100 to the $1,200 grade.

Now, Mr. Chairman, coming to the question of the increase of salary provided in the railway mail service, the committee has recommended an arbitrary increase of $100 in all the grades of service below $1,500. We have not only provided for an increase of $100 for every man employed in the railway mail service, but we have raised the grades of those employed in that service just $100. So where a man who has heretofore been employed and has been receiving $1,500 for that character of work, hereafter he will receive $1,600. The man now employed at $1,400 in that character of work will hereafter receive $1,500, and so down the line, starting at $800. No one will question but that this service requires the most proficient men of any employment in the service. Members must not have their attention diverted by the disparagement of the salary of $1,600 for the railway mail employee and $1,200 provided for the post-office clerk, because you must take into consideration that the $1,600 class of railway mail clerks are men in charge of crews on traveling railway post-office cars, and they, like most of these high-salaried clerks, are obliged to be absent from home one-half to one-third of the time, and entail expenses while absent from home, which amount on an average to $175 to $250 a year, and that amount must necessarily be deducted from the salary we provide for these men in this service. So when the committee considers carefully these respective promotions for the different services, I think they will agree that the committee has dealt liberally and fairly with the clerks and carriers connected with the postal service.

Mr. STERLING. Will the gentleman allow me to ask a question?

Mr. STAFFORD. I will yield for one question.

Mr. STERLING. On Saturday I offered a table showing that the carriers would not be increased in salary for five years in certain offices and in other offices for ten years, and I understood the gentleman to say at that time I was wrong about it. I would ask the gentleman to point out wherein I was wrong.

Mr. STAFFORD. If the gentleman will look at the RECORD, I believe he will see I attracted his attention so far as clerks are concerned and only so far as clerks are concerned.

Mr. STERLING. My proposition applied to carriers.

Mr. STAFFORD. I understood the gentleman, though I may have been in error, to have included in his statement not only carriers, but clerks, and I was inviting his attention as to whether or not he was in error so far as clerks were concerned.

Taking up the question of railway mail pay, everyone will admit that it is a very intricate subject, and that it requires a lifelong study by an expert before he is qualified to speak on the subject of the cost of railway transportation; but the mere abstruseness of the subject and a lack of acquaintance with details should not deter legislators in favoring a reduction of railway mail pay if certain undisputed facts warrant this reduction. The pay for the transportation of mails is based upon the law of 1873, which provides a sliding scale of pay according to the weight carried. That law was a reenactment of a practice of the Department which had been in force many years. I may say that up to the time of the enactment of the law of 1873 there had been no change in the pay for the carriage of mail from the time of the enactment of the law of 1845, which provided for the pay according to three grades of service, of $50, $100, and $300 per mile yearly, regardless of weight carried. A couple of years thereafter the maximum was increased 25 per cent when night service was rendered, making the maximum $375.

So the rates of pay as embodied in the law of 1873 was the reenactment of departmental regulations, except as to the last class. The only new feature in the law that differed from the prior practice was that it created a new basis of pay on all those roads carrying in excess of 5,000 pounds daily, where, for each additional 2,000 pounds carried they were to receive at the annual rate of $25. This law was amended in 1876 by a horizontal reduction of 10 per cent, and again, in 1878, by a horizontal reduction of 5 per cent, and with those percentages of reduction the highest rate for the smallest amount of mail carried, which is 200 pounds or less on a daily average throughout the year, is $42.75, which, I wish to call to the attention of the committee, is at the rate of $427.50 per ton. The rate provided by this law, subject to this percentage of reduction for the carriage of 5,000 pounds, is $171, or at the rate of $68.40 per ton. The difference in rate between that charged for the weight of 5,000 pounds and that of 200 pounds and under is 625 per cent less than the——

Mr. MADDEN. Will the gentleman permit a question——

Mr. STAFFORD. In just one minute, when I finish this. Six hundred and twenty-five per cent less than the maximum pay; and the rate of $21.37 per ton above 5,000 pounds as compared with the maximum pay is 2,000 per cent less, or one-twentieth of the amount of the maximum pay of $427.50. Now I will yield.

Mr. MADDEN. I will ask the gentleman from Wisconsin how he justifies the action of the committee which reduces the compensation of the carriers getting $600 and a right of promotion to $800, so that they now only get $700?

Mr. STAFFORD. If the gentleman had been in the House when that subject was under discussion, the gentleman would have been informed, so far as I was able to inform him when a like query was propounded by the gentleman's colleague from Chicago. I can not at this time, because I went over it once or twice, go over the subject again, as I wish to direct the attention of the committee now to the subject of railway mail pay. I must beg to be excused from further yielding on that subject.

Mr. MADDEN. Will not the gentleman permit a single question?

Mr. STAFFORD. On that subject I will have to decline to yield, because I have gone over that already.

Mr. MADDEN. Will not the gentleman let me ask him one more question?

Mr. STAFFORD. I can not, if it is on that subject. Mr. Chairman, I will have to decline to yield.

Mr. SPERRY. Will the gentleman yield to a single question which he can answer "yes" or "no?"

Mr. STAFFORD. I have declined to yield for a question to the gentleman from Illinois [Mr. MADDEN], because it is something I have already covered. I will gladly yield to my colleague on the committee.

Mr. SPERRY. Does the law provide for an increase in the salary of assistant superintendents and chief clerks in the railway mail service?

Mr. STAFFORD. To which law does the gentleman refer?

Mr. SPERRY. I should have said the bill which has been presented.

Mr. STAFFORD. The bill of course provides for the employees now engaged in the service, both as to chief clerks and assistant superintendents, but no increase of salary is made in those grades.

Mr. LITTLEFIELD rose.

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] yield to the gentleman from Maine [Mr. LITTLEFIELD]?

Mr. STAFFORD. I yield to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. The bill for last year, as I remember it, provided for increases in the salaries of some of the railway mail clerks, and they failed to get their increases by reason of the fact that there was not sufficient appropriation for the increase. For instance, a clerk that was getting a thousand dollars, if the appropriation had been made, would have been receiving now $1,100. Is there any provision made for those clerks and those promotions in this bill?

Mr. STAFFORD. If the gentleman had been present in the Chamber he would have heard me state that every clerk in the railway mail service receives an increase of salary of $100 at the end of the fiscal year.

Mr. LITTLEFIELD. That does not answer this question. There were some railway mail clerks who were expected to receive a promotion under the last bill, the bill for the fiscal year 1907, and they did not receive it.

Mr. STAFFORD. I will answer the gentleman, although it is outside of the pertinency of my remarks, and say that the committee can not legislate to meet the expectations of every person in the service.

Mr. LITTLEFIELD. Now, that all may be true.

Mr. STAFFORD. I will have to decline to yield further, because it is apart from the subject-matter on which I am addressing the committee.

Mr. LITTLEFIELD. I beg the gentleman's pardon if it is not germane to his remarks.

Mr. STAFFORD. I am touching on the question of railway mail pay, and if the gentleman will excuse me, as my time is limited I wish to continue the address along that line.

Mr. LITTLEFIELD. I trust that some time some of the gentlemen of the committee will give me the information.

Mr. STAFFORD. When the bill is under consideration under the five-minute rule I will be glad to do so.

Coming again to the question of rates of pay at present in

force, I call attention to the following table, which I will print as a part of my remarks:

Pay per mile per annum.

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

Mention should also be made that those railroads that have received land-grant aid which was conditioned upon their carrying the mail at such rates as Congress should determine receive but 80 per cent of the present rates.

The change suggested provides for a 5 per cent reduction of the pay on all those routes which carry an excess daily of 5,000 pounds up to 48,000 pounds, and on those routes in excess of 48,000 pounds, 10 per cent. The rate per ton above 5,000 pounds, as now provided in existing law, is $21.37, which, with the 5 per cent reduction, amounts to $20.30 per ton on those routes in excess of 5,000 pounds, and of $19.24, or 10 per cent reduction, on those routes which carry an average daily weight in excess of 48,000 pounds.

These rates are pure tonnage charges that have no relation whatsoever to frequency or character of service. In fact, the basic charge for railway-mail carriage is that of tonnage rather than expedition, frequency of service, or space of cars utilized. However, to a small degree the railroads receive compensation based upon the space used for the carriage of the mail, which, indirectly, because it is used solely on the heavy lines, is a payment for frequency of service.

This is the so-called "railway post-office service" which, in other words, are the traveling post-offices. These vary in size from 40 to 65 and 70 feet in length, and the pay is based entirely on mileage. No change in the rate of pay has been made since 1873, when allowance was first granted for this character of service. The rates of pay vary from $25 per daily line per annum for a 40-foot car, $30 per daily line for a 45-foot car, $40 per daily line for a 50-foot car, and $50 per daily line for a car being 55 feet.

A daily line of railway post-office cars in postal parlance means a route on which a car makes a round trip daily, so that the rate per mail per annum for the use and carriage of one of these cars is one-half of the rates just mentioned.

This extra compensation for traveling post-office cars is based on the space used and service rendered rather than upon the tonnage carried. From 1864, when this service was first introduced at the request of the Post-Office Department, down to 1873 no extra pay was made for this service. It appears from the debates at the time of the enactment of this legislation that the few railroads which were carrying the great bulk of the mail were protesting that the maximum limit of pay of $375 per mile per annum was not adequate and did not compensate them for the added service in transporting the additional and increasing weight, because other roads carrying an amount much less in weight received the same maximum pay.

When this provision for extra compensation for railroad post-office service was enacted the existing contracts with the railroad companies contained a provision whereby they were obligated to provide full cars or parts of cars on call of the Post-Office Department. This method of payment for this service was never debated in the House. It had its birth and origin in the Senate by amendment to the annual post-office appropriation bill, and was agreed to in committee of conference and passed the House without any debate or explanation.

Ever since I have been in Congress I could not understand the incongruity of rates provided by the law between that of $25 for a 40-foot car and of $50 for a 55-foot car, a 100 per cent increase of pay for about 50 per cent increase of space. I have sought in the Post-Office Committee in prior Congresses to remedy this incongruity; and if the recommendation of the Post-Office Committee prevails, the rate will be based proportionately to space, using the $25 rate as the lowest amount, which remains unchanged for the 40-foot car, and providing $27.50 for the 45-foot instead of $30, and $32.50 instead of $40 for the 50-foot, and $40 instead of $50 for the 55-foot car and above. You will notice——

Mr. HILL of Connecticut. Is that included in the proposition which was agreed to yesterday?

Mr. STAFFORD. That was included in the proposition that was agreed to yesterday.

The reduction of the rate from that now paid for the larger-sized car, which is 55 feet and over, and which is in general use in the Railway Mail Service, the committee will see is 20 per cent. The estimate of the Department on the proposed reductions of pay for this railway post-office service is $993,000, which, according to my calculation, is 1.8 per cent of the total amount estimated for railway mail pay for the next fiscal year.

But the question before the House is whether the recommendation for reduction of railway mail pay is proper and fair in view of the service rendered. All acknowledge that with density of traffic, whether freight or passenger, there come economies in the service which diminish the cost of transportation proportionately greater than the increase in the volume of traffic. This feature is present and should be controlling in determining the proper rate for railway mail pay. Because the density in volume of railway mail has increased tremendously during the past thirty years and there has been no corresponding reduction in the rate of pay on those routes which have this dense traffic is the reason, and the justification if need be, for the reduction of pay on those routes which carry a daily average in excess of 5,000 pounds.

If you take the weights now carried on the respective routes and compare them with those when the last reduction in mail pay was made, in 1878, you will find that the weights have increased many fold. The heaviest route thirty years ago carried an average daily weight of 39,000 pounds, while at present the heaviest route is more than 450,000 pounds. Those who believe that there should be no reduction in rates advance the argument that notwithstanding there has been no diminution in the rate charged, there has been a decrease of 16 per cent in the average rate per ton per mile as computed upon the gross tonnage carried at the present aggregate pay for railway mail carriage. But I will remind gentlemen that that decrease has been brought about by the lowering rate of pay on those roads carrying in excess of 5,000 pounds, because, as the House will see, the rate is $21.37 for every additional 2,000 pounds above that weight. The reason for that lowering proportionate rate on the gross tons carried has been the lower rate—the lower average rate—paid to those roads carrying in excess of 5,000 pounds where the additional weight has been very large.

It is generally agreed by railway traffic authorities that with the density of tonnage either in freight, passenger, or express there comes a corresponding economy in the service which permits of a reduction in rates by reason of the increasing economies, and this decreasing proportionate cost of service with increasing volume is present in the carriage of the mail by railroads. There is a greater return to the railway companies from passenger traffic when the seating capacity of the coaches is three-fourths filled than when only one-fourth, and so where a train carries four coaches full of passengers as compared with one car full.

The cost of conducting and transportation is about the same per train load whether the passenger train consists of one or such a number of additional cars that the motor power of the engine is capable of hauling.

But there is another question that impresses itself in this connection, and that is whether the mail is an incident to or coequal with the passenger service. I contend that it is but an incident, just like and in the same category with the sleeping-car service, and that the rate should be based on that proportionate charge that accrues by reason of the additional service, and by adding its share of the charges for maintenance, and a reasonable allowance for profit. That was the view taken by so eminent a Member as the present Speaker of this House when this matter was under consideration in the House more than thirty years ago, when, on May 4, 1876, he used this language:

> The true rule is, I apprehend, that the Post-Office Department should only be charged for mail service for the additional cost incurred on its own account, and that the cost of the other services should be estimated as if the postal car was not transported.

This view point as the proper basis on which to estimate the railway mail pay is that followed by the railroads in determining the proper charge for sleeping-car service and the passenger

rate for commutation service. The latter rate on some trunk lines for suburban service is 6 mills per mile, but this rate, if applied to all passenger service, would be far from compensatory. The commutation rate is justified because this traffic is regular and frequent, and its density is far greater than with the ordinary passenger service, where the average number of passengers to the coach are fewer and varying.

But the mail has a distinctive characteristic that is not present in so marked a degree with other classes of traffic, in that it is certain, continuous, and regular. This unvarying quality affords economies in handling and transportation which increases over the other traffics as it predominates.

Considering these elemental facts of the manifold increase in weight and the corresponding increase in density of mail traffic, with the resulting economies to the railroads in carrying this increased traffic, and its peculiar nature, the reduction of railway mail pay will be confirmed on investigation as fair and proper.

But consider for a moment the figures of the railroads, that it costs 10 to 12 cents for the carriage of one of these traveling post-offices 1 mile. Let us see what the pay will be as based upon the cut rates.

Under the maximum pay of $40 for a 55-foot railway post-office and over, the rate per mile run for the carriage of the car is 5.47 cents. It is estimated by the Department officials that 2½ tons of mail is the average carried in one of these traveling post-offices. The lowest rate paid for a ton of mail, based on the proposed 10 per cent reduction, is 6.2 cents per mile, and for 2½ tons at that rate it will amount to 15.6 cents for the average load. Add to this the 5.47 cents for the use of the railway post-office and that will bring it up to 21 cents, or more than 9 cents above the cost of carriage as estimated by the railroads.

When the mail is carried in a storage car the weight is much more than 2½ tons, and it reaches 10, 12, and sometimes 20 tons and over. At 20 tons, which would be the average weight of mail in the storage cars on some of the heavy mail trains, the railroads would receive, at the lowest compensation of 6.2 cents per ton per mile, $1.24. No railway man will contend that these amounts do not yield a supplemental return to their passenger-train earnings above the cost of conducting and transportation. The railroads may claim that the price for this service should be made as if mail carriage was an independent service like freight and passenger. I contend that the mail service, except on exclusive mail trains, is but an adjunct to the passenger service and should be so regarded in arriving at the proper charge. When you consider the vast increase in the volume of mail in the last thirty years and that passenger rates in those sections of the country where the traffic is dense are being reduced and acquiesced in by the railroads, gentlemen will see that the proposed reduction can in no wise be considered as confiscatory, but as giving a fair return to the railroads and at the same time safeguarding the interests of the public.

It is estimated that the proposed reduction in the gross tonnage pay of 5 and 10 per cent, heretofore adverted to, will result in a cut of some $3,000,000, reducing the estimate of $47,660,000 to $44,660,000, and that the cut in the pay for the service on the railway mail post-offices is $993,000, resulting in a total reduction of nearly $4,000,000, or 7.4 per cent of the total amount for railway-mail pay.

Mr. HILL of Connecticut. In this whole matter is any allowance whatever made for frequency of service?

Mr. STAFFORD. No allowance whatever is made for frequency of service. That has never been considered as an element of charge, the basis of pay being on the tonnage idea, and the only allowance for frequency of service is incidental on those heavy lines which have full railway post-office service, where the railroads receive an additional allowance for every mile traveled by those cars. The more frequent the service on routes having such cars the added return is for the use of the car, irrespective of and additional to the weight carried.

Mr. HILL of Connecticut. They get an allowance in the pay for railway postal cars?

Mr. STAFFORD. Yes; but in many instances there is frequent service where the mail is carried in so-called "apartment cars," for which the railroads receive no additional compensation to the weight allowance.

It has been suggested that space used in the carriage of the mail would be a better determiner of mail pay than tonnage. This is a large question, which I will not enter upon at present, as the hour to consider the bill by paragraphs is almost arrived, but I will say, in response to the query of my friend from Connecticut, that if space was the determiner, compensation for frequency of service would accordingly follow, as the space occupied would depend upon and correspond with frequency of train service. Under the space basis the railroads would receive compensation for the apartment-car service, for which, other than the tonnage pay, they receive no additional allowance.

If anything is certain in this mooted question of whether the railroads have been receiving too much for the carriage of the mails, it is that the excess charge has been on the heavy lines. To cut down the rate of pay on these large routes is the purpose of the proposed amendments.

Thirty years have passed since any reduction was made; the changed conditions fully justify the proposed cut. With reduced freight rates and reducing passenger rates, the House may safely, without danger of impairing the service, reduce the mail pay, with the belief that the proposed rates will be adequate for the service rendered. [Applause.]

Mr. OVERSTREET of Indiana. Mr. Chairman, I ask for the reading of the bill under the five-minute rule.

The CHAIRMAN. The Clerk will report the bill.

The Clerk (proceeding with the reading of the bill) read as follows:

OFFICE OF THE POSTMASTER-GENERAL.

For advertising, $5,000.

Mr. GOEBEL. Mr. Chairman, I desire to offer at this time and to have pending the amendment which I send to the Clerk's desk. I do that in order that the House may have notice that I intend to insist upon the amendment at the proper time.

The CHAIRMAN. The gentleman from Ohio [Mr. GOEBEL] sends to the desk to have read for the information of the committee an amendment, and asks unanimous consent that it may be considered as pending.

Mr. OVERSTREET of Indiana. Mr. Chairman, before I hear the amendment read, and therefore before I can be influenced by knowing what it is, I wish to object and insist that amendments be offered at their proper places in the bill.

The CHAIRMAN. Objection is made.

Mr. GOEBEL. Mr. Chairman, I move to strike out the last word, and let the Clerk read the amendment in my time.

The CHAIRMAN. The gentleman moves to strike out the last word, and the amendment will be read in the gentleman's time for the information of the committee.

The Clerk read as follows:

On page 5, line 17, after the word "dollars," insert the following:

"*Provided further*, That in addition to the foregoing allowance there shall be allowed and paid to each employee in the respective grades a sum which, together with the allowance herein provided, would equal 20 per cent upon the salary now fixed by law.

Mr. MURPHY. Mr. Chairman, I move to strike out, in line 8, page 1, the words "five thousand" and insert the words "three thousand five hundred."

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

The Clerk read as follows:

In line 8 strike out "five thousand" and insert the words "three thousand five hundred."

Mr. MURPHY. Mr. Chairman, I do not know for what purpose this money is used, but I do know it is going the rounds of the newspapers that this is to be a billion-dollar Congress and I do know that it has not been necessary heretofore to appropriate more than $3,500 for advertising for the Postmaster-General. In this connection I want to call the attention of the House to the fact, and that is one reason why I offered the amendment, that while we have the most elaborate printing office, the largest printing office in the world, we find it necessary to send out the Postal Guide to be printed under contract by J. B. Lyon Company, of Albany, N. Y. I do not know what it costs, but I do know that it could be set on a linotype in the Government Printing Office and remain there; in two or three days the necessary changes could be made and it could be printed each year in our own shop, with little expense.

Therefore, Mr. Chairman, $3,500 the amount that has heretofore been appropriated for the Postmaster-General ought to be sufficient.

Mr. OVERSTREET of Indiana. Mr. Chairman, if the gentleman from Missouri had any information at all with reference to this item he would not have imposed upon the House for the time it has required to make his statement. This item is not the item from which the expenditure for the publication of the Postal Guide is taken, and therefore that shot of the gentleman went wide of the mark. Nor is he, apparently, familiar with the fact that the postal service grows from year to year. It does not stand still like some enterprises, and there is required each year some additional appropriation to cover the additional expenditure made necessary by that growth.

This particular item covers $884 for ocean mail service; $861 for supplies for the Post-Office Department and postal service; $417 for letter boxes, fasteners, and posts; $260 for improve-

ments in patented devices for use in moving trains; $204 for facing slips; $152 for postal cards, and various other items covering the necessary publication of notice for various contracts that must be advertised for under the law. You can curtail this item, but if you do it does not admit of proper advertisement which Congress usually exacts in the dissemination of information in order to secure the widest possible competition. I hope the amendment will be disagreed to.

The question was taken; and the amendment was lost.

The Clerk read as follows:

Salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $3,000 each; 10 inspectors, at $2,400 each; 15 inspectors, at $2,250 each; 15 inspectors, at $2,000 each; 10 inspectors, at $1,800 each; 130 inspectors, at $1,600 each; 110 inspectors, at $1,400 each; and 72 inspectors, at $1,200 each; in all, $599,150.

Mr. CRUMPACKER. Mr. Chairman, I will take advantage of the opportunity afforded by the debate upon this bill to submit some additional remarks upon the bill providing for a judicial review of fraud orders issued by the Postmaster-General, which passed the House some weeks ago. There seems to be some misunderstanding respecting the scope and purpose of that bill, based, as far as I am able to learn, upon a careless or willful misrepresentation of its provisions by individuals who seem to have little regard for the truth. It has come to be quite the fashion when any legislation is proposed that curtails or modifies power that is being exercised by a bureau officer in one of the Departments, however wise and just the measure may be, for some dilettante reformer who is long on theory and short on practical wisdom, and who has no faith in the common people nor respect for the integrity of the courts, to open up a tirade against the measure and to asperse the Representative who may propose it and all those who give it support.

I have observed, also, that some of the chiefs of bureaus in the Departments stubbornly resist every attempt to reduce or modify the power they exercise or to reduce in any measure the appropriations for the administration of their bureaus. It is not always a question of patriotism or public good with them, but often a question of personal and official aggrandizement. Some bureau chiefs have gone so far in their opposition to just and prudent measures as to inspire unjust attacks upon Members advocating them and to recklessly, at least, misrepresent their purpose and effect. These officers seem to have no difficulty in securing means of communicating their opposition to the public. There are individuals engaged in newspaper and magazine work who are willing to believe anything that may be told them by a bureau chief in disparagement of the ability and integrity of a representative of the people, and without inquiry or investigation they send out broadcast over the country gross misstatements concerning the provisions and purposes of proposed legislation. Those individuals seem to be imbued with the idea that this is a government of the bureaus, by the bureaus, and for the bureaus, and that any proposition, however wise or salutary, that in any degree minimizes the dignity or power of a bureau chief must of necessity be against the public good. It is human nature for one who is in the enjoyment of autocratic authority to resist every attempt made to limit or modify the exercise of that authority.

The House has a most salutary rule that prohibits legislation upon general appropriation bills. The object of the rule is to prevent "riders" from being attached to appropriation bills and to secure the consideration of each measure independently upon its own merits.

Recently a newspaper correspondent, prompted by personal enmity or a general malicious instinct, assailed a Member of the House for making a point of order against an item of legislation that was contained in a general appropriation bill in violation of the rules of the House. The fact that the point of order was sustained and the action of the Member upheld by the presiding officer made no difference to the correspondent. He wanted a story. Intelligent and fair criticism of proposed legislation is of great good, but unjust and dishonest criticism is destructive of confidence in public men and even in government, and it does incalculable harm. Members of Congress must always be free to propose and support measures they honestly believe to be for the public good, and no Department officer should, under any circumstances, feel justified in misrepresenting measures or in imputing bad faith to Representatives who propose or support them.

THE FRAUD-ORDER LAW AND ITS ADMINISTRATION.

The criticism of the bill for a judicial review of fraud orders has been chiefly a misrepresentation and perversion of its provisions. Under the existing law the Postmaster-General may issue a fraud order against any person whom he believes is using the mails for criminal or fraudulent purposes, and the law provides for no notice to the person to be effected and no opportunity for him to appear and defend himself. A fraud order is an order issued by the Assistant Attorney-General of the Post-Office Department, in the name of the Postmaster-General, to the postmaster where the accused receives his mail, directing him to pay no money orders to the accused and to deliver no mail to him, but to stamp all mail that comes to him with the word "fraudulent" and return it to the writer where the envelope bears a return card; otherwise to forward it immediately to the Post-Office Department, to be disposed of through the dead-letter office. The order covers all mail, business or social, without discrimination. In many and perhaps in most instances, as a matter of favor, the Department notifies the person to be effected by a fraud order and gives him an opportunity to appear and show cause, if he can, why the order should not be issued. The hearing is voluntary, and is conducted by the Assistant Attorney-General, who is bound by no rules and follows no fixed course of procedure. In some cases no notice is given at all. The law does not require it, and the Assistant Attorney-General decides when notice shall be given and when not. In numerous instances fraud orders have been issued upon the mere confidential report of a post-office inspector, without any notice whatever to the person affected or any opportunity to disprove the charges against him.

CHARACTER OF EVIDENCE UPON WHICH FRAUD ORDERS ARE ISSUED.

Now, I want to say a few words in regard to the evidence upon which the Assistant Attorney-General acts in issuing fraud orders. I stated a moment ago that his action was based, in the main, upon confidential reports which were the result of secret investigations by post-office inspectors. They constitute the bulk of the evidence. The Assistant Attorney-General for the Department is himself first convinced, and then he notifies the person affected by the proposed action to appear and show cause, without allowing him to see the report or know what it contains. He is at once the prosecuting attorney, judge, and executioner, and the privilege of appearing before that officer, who has already made up his mind, to refute evidence that he can know nothing about is one without any practical value.

The Supreme Court has held that the fraud-order power may be conferred upon the Postmaster-General because the right to the mail is a privilege and not a vested right and that the proceeding is not criminal in its character. While this may be the correct constitutional theory, yet the party against whom a fraud order is issued is branded as a criminal and stigmatized as a perpetrator of fraud. It makes him an outlaw as far as one of the most important branches of the Government is concerned. The issuance of such an order covers all his mail and deprives him of the right to communicate with his friends, his wife, or his mother, or to receive any communication from them by means of the mails.

All of this is done upon confidential reports, the result of secret investigations based upon ex parte statements of persons whose motives can not be known, who may be responsible or who may be irresponsible, who may not be competent witnesses, and who are not sworn and do not carry the responsibilities of ordinary witnesses. Their names and identity are not disclosed, and their evidence does not contain one single safeguard against fraud or one single test of credibility. Such evidence would not be received in the humblest magistrate's court of the country in a case involving the investigation of the most inconsequential right of person or property.

The confidential nature of the reports and the statements they contain, including the names of persons giving information, is such that they are never made public or disclosed to the parties vitally affected by them. About a year ago this House adopted a resolution requesting the Postmaster-General to furnish it with the facts upon which a certain fraud order was issued and copies of the inspector's reports in the case, and that officer politely and respectfully returned the resolution to the House with the statement that it would not be compatible with the public interest to comply with the request.

The investigation and decision of fraud-order cases under the practice in the Department is necessarily made by the Assistant Attorney-General. During the two years ending June 30 last, 660 fraud orders were issued and a number of cases investigated where the accused agreed to modify his advertising matter so that it would conform to the ideas of propriety of the Assistant Attorney-General, thereby obviating the issuing of an order excluding him from the mails. Over one case a day had to be examined and decided, and it would be out of the question for the Postmaster-General to give his personal attention to the examination and decision of these cases and attend to the other arduous and multitudinous duties of his office. The Assistant Attorney-General devotes the bulk of his time to the fraud-order business. He refers complaints to post-office inspectors, examines reports, decides questions of law and fact, hears matter in defense, and practically has the decision

of the ultimate question as to whether a fraud order shall be issued or not, although the work is done in the name of the Postmaster-General. It is a matter of common experience that men who represent the Government in hunting down and ferreting out fraud and in conducting prosecutions become imbued with an official prejudice to such an extent as to unfit them to deal justly between their own client and paymaster and one whose interests may be adverse. I do not say this in disparagement of this class of officials, for a man who has the zeal and enthusiasm necessary to make a success of the work in which he is engaged, unless he be exceptionally even tempered and well poised, is most apt to become inoculated with that official bias that will prevent his dealing justly with those whose interests he may have in charge.

THE ASSISTANT ATTORNEY-GENERAL IS PROSECUTOR, JUDGE, AND EXECUTIONER.

The Assistant Attorney-General is a detective, in a large sense, to hunt down frauds, and is the prosecutor to convict the perpetrators, and in the fraud-order practice he is the judge and jury to pass upon their guilt or innocence. In view of the vital questions that are involved directly and impliedly in the fraud-order practice, it is a most unsafe thing to intrust an officer of this kind with such unlimited power. This Government is said to be a Government of law and not of men. The personal and property rights of citizens should not be vitally affected by any department of government, excepting in pursuance of law. In the execution of the fraud-order law much may depend upon the temperament and the ideals of the Assistant Attorney-General. One person occupying that position may have peculiarly high notions of business ethics and little or no patience with those who do not deal absolutely fairly with their fellows. On the other hand, another may have lax ideas respecting these matters and much sympathy for wrongdoers. Under a practice where the result must of necessity be largely colored by the temperament and sentiment of a departmental official, the vital concerns of the citizens ought not to be reposed without the right to appeal to the courts.

I desire to impress upon the House, in addition, the dangerous character of the method of presenting proof on the part of the Government in fraud-order cases. The same zeal that I have referred to in connection with the Assistant Attorney-General characterizes the action of post-office inspectors. There seems to be a belief or feeling on the part of these functionaries that unless they are able to discover official irregularities or individual delinquencies in connection with the mails their records as efficient officers will suffer. Their investigations are made secretly and contain, largely, interviews with citizens in various communities which are always private, and the names of the citizens who give information are to be kept inviolate.

How many men, prompted by feelings of envy or jealousy against a business rival, with the understanding that their names will not be disclosed under any circumstances, will be prompted to give information that may be largely colored by their feelings or interests—information that as citizens, carrying the responsibilities of a witness in public, they would under no circumstances feel at liberty to give. Such testimony is a positive menace to the safety of person, reputation, and property under any system of administration. It is contrary to the commonest notions of justice and fair dealing. Due process of law, as is commonly understood in our system of Government, means that process of law that is administered in the open, where the accused party may have a right to confront his accusers; where those who give testimony on either side must carry the solemn responsibilities of their conduct before the public.

ALL EVIDENCE SHOULD BE OPEN TO INSPECTION.

I have no sympathy with or respect for the policy that affects the important rights of person, reputation, or property by means of confidential reports of secret emissaries of the law. Reports containing evidence respecting the rights of the citizen should always be made public. No consideration of delicacy or embarrassment should justify the Government in blasting the reputation and ruining the business of a citizen without giving him an opportunity to know exactly who has testified against him and to what he has testified. The reports of inspectors under any practice should be open to the person who may be affected by the fraud order. He should be allowed to know who have given information or testified against him, and citizens who are interviewed should understand that their names and statements would be open to inspection by the person against whom they testify or give information. This would have a most wholesome and salutary influence. Men would see that the statements that were written up by the post-office inspectors and credited to them were fair and just and absolutely true. There should be no inducement or opportunity for men to attempt to stab the business or reputation of rivals in the dark.

Even under the present law the investigation of fraud-order questions should be conducted in as open a manner as possible. Star-chamber procedure has no place in the administration of rights in this Government. It is contrary to the spirit of the age. The whole fraud-order practice in the Post-Office Department, however honest and pure the intentions and purposes of its administrators may be, is out of harmony with the principles of individual liberty. It is claimed, I know, that if reports were made public and the names of men who give information were disclosed, it would be difficult, if not impossible, for post-office inspectors to secure necessary information in this class of cases. I make the assertion that a citizen who will not give testimony except upon condition that his name be withheld from the public, and particularly from the individual against whom he testifies, as a rule is not worthy of credence. His testimony is to be suspected and should not be regarded as sufficient to deprive any person of any substantial right.

CRIMINAL LAWS BEST DETERRENT OF CRIME.

The Federal criminal code imposes penalties for almost every act that would justify the issuing of a fraud order. If post-office inspectors in investigating crimes and frauds would investigate them with a view of detecting the perpetrators, and their reports be immediately transmitted to the Department of Justice, where instructions could be sent to arrest the criminals, it would do more than anything else could do to stop the practice of debauching the mails. The Postmaster-General in his recent report claims that under the fraud-order practice lotteries and other criminal concerns have almost been driven out of existence. In my humble judgment, if there were no penalty excepting that of a fraud order, the country would be overrun with lotteries, "green-goods" institutions, and other criminal concerns to-day. The criminal courts have suppressed lotteries and "green-goods" dispensers. They have been the efficient power in purifying the mails and protecting them against the schemes and devices of evil doers.

The only deterrent effect of a fraud order is to take from the swindler a portion of the proceeds of his wrongful practices. It takes some time to discover the fact that a person is prostituting the mails, and he may swindle the public out of thousands of dollars before he is discovered. All that he so receives is clear gain. A fraud order prevents him from receiving any additional fruits of his crime. He may go to another place and assume another name and continue his dishonest scheme until he is again discovered. A law that would simply compel a horse thief to return stolen horses he might have in his possession to the rightful owner and then go on his way, would be very poor protection against horse stealing. Yet this is the theory and effect of the fraud-order law. The penitentiary is what deters and terrorizes criminals. Fraud orders protect some people from imposition and crime, but they have little or no terrors for the criminal.

In making these criticisms of the fraud-order practice, it is not my intention to reflect in any degree upon the Postmaster-General, the Assistant Attorney-General for the Post-Office Department, or any other official. The result is the necessary and logical outcome of the arbitrary system of investigation authorized by the statutes. It is not the fault of the officers personally, but the fault of the system, and it is the system that I am complaining about and which I believe ought to be materially modified.

A number of years ago it was the practice in the administration of the pension laws to have special agents make secret examinations of pension claims, with a view of detecting frauds, and thousands of veterans of the civil war were dropped from the pension rolls upon confidential reports without notice, without having been given an opportunity to present their defense, and the sense of justice of the entire country was so aroused that Congress quickly passed a law providing that in all investigations of pension claims by special examiners the applicant should have notice before a single witness was examined and allowed to be present and cross-examine the witnesses and have an opportunity to submit testimony in his own behalf, and that he should at all times have access to the reports of the special examiners. Under the law now, a veteran who is drawing a pension of only $6 a month can not be deprived of that token of his country's gratitude upon confidential reports of special agents. He can not be deprived of it except by notice, with an opportunity to confront the witnesses who testify against him and with an opportunity to submit evidence on his own part, and the whole proceeding must be conducted publicly and in the open, while under the fraud-order practice the reputation of an individual may be blasted, his business destroyed, he may be

branded as a perpetrator of crime and a common outlaw on confidential reports of secret emissaries, without the privilege of knowing what is contained in the reports or who has given information against him or what the character of that information may be.

The principle would be the same if a grand jury, with its secrecy and its confidences, should hear evidence and indict a citizen for a crime, and then he should be arraigned before the same grand jury to plead to the merits of the case, and the jury should notify him by the indictment of the general nature of the charge, and say to him:

The evidence on behalf of the State has already been introduced. It is confidential and secret, and will not be disclosed to you. You have the high privilege of proving yourself innocent if you are able to do it.

In fact the situation is worse, because witnesses before a grand jury testify under the sanction of an oath and are liable to prosecution for perjury. In some instances they may be liable in the civil courts for damages for malicious prosecution. Yet a witness who is interviewed by a post-office inspector regarding the character and conduct of a citizen or his business carries with him absolutely no kind of responsibility in the criminal courts for perjury and no kind of responsibility for malicious prosecution, slander, defamation of character, or anything of that sort.

FRAUD ORDERS NOT OPEN TO REVIEW BY COURTS.

Fraud orders are not subject to review in the courts in so far as questions of fact are involved. That is to say, no court can determine in any proceeding whether the facts charged against the accused are true or false; whether the evidence against him is credible or otherwise; whether it carries conviction or not. The courts do have power to review questions of law—that is, questions respecting the jurisdiction of the Postmaster-General to act at all in the particular case. The courts may inquire into facts so far as it is necessary to determine whether the particular transaction or business on which the fraud order is based comes within the statute and therefore within the jurisdiction of the Postmaster-General. If the court finds that the case comes within the jurisdiction of the Postmaster-General, that is the end of it, regardless of whether the questions of fact were decided right or wrong, and upon that question the accused is utterly helpless. He is wholly without a remedy.

It is asserted that courts already have the right to review the facts as well as the law in fraud-order decisions, but that assertion is made by no one familiar with the law. It has been repeatedly decided by the courts that where Congress vests a discretionary power in a Department officer the exercise of that power can not be controlled, modified, or reviewed by the courts unless the law expressly authorizes it. There is not a decision of any Federal court to the contrary. The reports of the courts abound in decisions uniformly denying the right to investigate questions of fact involved in the decision of a question reposed in an administrative or executive officer. In the case of Bates & Guild Co. *v.* Payne (194 U. S., 106), in deciding a question exactly identical in principle with the fraud-order power, the court said:

When the decision of questions of fact is committed by Congress to the judgment and discretion of the head of a Department his decision thereon is conclusive.

In a case decided by the United States circuit court for the State of Missouri in July, 1905, involving the power of the court to review questions of fact in fraud-order cases, the court reviewed all of the decisions upon the subject and held that the courts had no such authority. It was said in the course of the opinion:

The proposition conceded by all, that if the Postmaster-General committed an error of law this court should enjoin the enforcement of the fraud order, is made the basis of an attack thereon by complainant's counsel. It is urged that if the evidence on which the fraud order was issued was meager or lacking, then the Postmaster-General committed an error of law. There is no authority to sustain the contention in any of the reported cases. To sustain such a contention would be equivalent to a writ of error from this court to review the decisions of that officer on the ground that his findings are not supported by the evidence. But he did have evidence before him. That evidence may or may not have been legal evidence according to the standard of the text-books. It may have been hearsay; it may have been secondary; it may have been delivered by an incompetent witness; or it may have been such as the courts would receive. But whatever it was, it was evidence satisfactory to him.

* * * * * * *

The Postmaster-General had, under the power with which he is clothed, the right to investigate the subject-matter. It was his right and duty to ascertain whether the methods of the bank were to further a scheme by the use of the mails to obtain money by fraudulent means. His findings of fact were that such practices were carried on. He had the power to act. *He committed no error of law*, and his findings of fact are not open to inquiry by the courts.

In that case a fraud order had been issued by the Postmaster-General, and the party against whom it was issued brought suit to have it enjoined, and insisted upon the right to introduce evidence to prove his innocence of the charges made against him, but the court held that the Department had jurisdiction of the subject-matter and that the court could not hear evidence as to whether the charges were true or false, and the suit was dismissed. While the fraud-order statute confers a very broad power upon the Postmaster-General, I have no disposition to curtail that power in any way that would prevent the Postmaster-General from using it for the protection of the people against fraud and imposition through the mails. The mails are peculiarly adapted to fraudulent uses, and for that reason I believe it is entirely proper to vest in the Postmaster-General a summary power to prevent the use of the mails by evil doers for improper purposes, but I also believe that a citizen whose right to the mails has been denied upon charges that destroy his reputation and ruin his business should be allowed to prove his innocence of the charges made against him in a court where justice is administered according to established procedure if he is able to do so. No question affecting the right of property or person can be determined, however inconsequential it may be, without a trial in a court under sanction of law. The object of the pending bill is to secure to the Department the right to protect the public against the prostitution of the mails by swindlers and criminals, and at the same time secure to those who honestly believe their rights have been unjustly denied them the privilege of going into court and having the law and facts investigated and their guilt or innocence determined by legal evidence according to established procedure. Public opinion condemns lynching, not so much because the victim does not deserve death, but because of the universal instinct that every citizen is entitled to his day in court, be he guilty or innocent.

EXPANSION OF FRAUD-ORDER POWERS.

If the fraud-order law were now administered according to its original purpose and intention, I would be the last man to raise my voice against it, arbitrary and despotic though it seems. I have no use for criminals and swindlers who seek to debauch the mails for unlawful purposes, but where men who honestly believe they are innocent of violations of law are denied the right of the mails and branded with infamy I believe they should be accorded the privilege of going into court and proving their innocence if they can.

The fraud-order law was originally intended to enable the Postmaster-General to withhold mails from the promoters of lotteries, "green-goods" institutions, get-rich-quick concerns, and fly-by-night affairs that were essentially and palpably fraudulent and criminal. It was not intended that it should interfere with old established business institutions that could be reached through the civil and criminal courts, but during the last two or three years a surveillance has been instituted over old establishments using the mails in a mail-order business, and numerous concerns of that kind have been brought before the Assistant Attorney-General and subjected to all manner of embarrassment and humiliation, and in some instances fraud orders have been issued against them and their business and reputations forever ruined. It is the ambitious policy of the Assistant Attorney-General for the Department in the fraud-order line during the last few years that has subjected this salutary power to the criticism that it is receiving all over the country at this time.

HAS THE FRAUD-ORDER POWER BEEN ABUSED?

But we are told that no abuses have arisen under the fraud-order law, and therefore there is no need of legislation modifying it. It, in the first place, vests a tremendous discretion in the Post-Office Department, a discretion that is greatly liable to be abused. It affords a dangerous opportunity for fraud and corruption. It has only been three or four years since the law officer of that Department was indicted for corruptly receiving money for withholding fraud orders against guilty persons.

But who knows how often the power has been abused? I know that in a number of cases during the last six years fraud orders were issued by the Department, and in a few weeks thereafter they were rescinded because they were wrongfully issued in the first instance. I have in mind one case where an order was issued upon the report of a post-office inspector, and, after it had done its deadly work and ruined a legitimate business and blackened the reputation of those conducting it, the Assistant Attorney-General reexamined the case and decided that there had never been any just ground for issuing the order, and he revoked it. This was several years ago. In his letter to the attorney of the victim informing him of the revocation of the order the Assistant Attorney-General said:

I have carefully examined the evidence adduced by your client, and I am fully satisfied that the "fraud" order, dated the 30th day of August last, against the Security Building Loan Mortgage Company and its officers *was improvidently issued*. I can not find from the evidence that that company or its officers, or any of them, *have been engaged* in a scheme to defraud the public or to obtain money by false pretenses, and hence the order has been revoked.

It was some consolation that the order was finally revoked, but that was a very inadequate reparation for such a grievous wrong. That letter is on the official files in the Department. Who knows how many other cases of that kind there may be?

I also know of a number of old and substantial institutions, institutions that are financially responsible, that have been brought to Washington on a fraud-order notice, compelled to employ attorneys, and subjected to much trouble and expense in order to prevent fraud orders from being issued against them. Others of that character have been compelled to submit to the humiliation of having the Assistant Attorney-General edit their advertising matter for them and make it conform to his notion of advertising ethics. I know that according to well-recognized principles of justice, wherever a substantial right of a citizen is taken from him without an opportunity to be heard, whether he be guilty or innocent, a wrong has been committed.

There was one case decided by the Supreme Court of the United States where a fraud order issued by the Post-Office Department was held to have been wrongfully issued. That was the case of the American School of Magnetic Healing *v.* McAnnulty (187 U. S., 94). The plaintiff in that case was engaged in the treatment of diseases by mental action. The Postmaster-General decided that any person or association that advertised the treatment of human diseases by mental action was a perpetrator of a fraud, and therefore issued a fraud order against that company. The company commenced suit to enjoin the order, and the case went to the Supreme Court of the United States, where the court held the fraud order was unlawfully issued, that the business of the company was not covered by the fraud-order statute. The opinion is a severe rebuke to the Department.

It is said that in upward of thirty cases where individuals against whom fraud orders have been issued sought relief in the courts the decision of the Department has been upheld. But what does that signify? In almost every case the court decided that it had no authority to determine whether the charges were true or false. None of those cases were decided upon its merits. In every case the court refused to investigate the facts, except to ascertain whether the Postmaster-General had jurisdiction. How many of those cases would have been decided otherwise if the law had authorized the courts to investigate their merits and decide whether the accused was really guilty or innocent? It is of no benefit to go into court and be told that the court is powerless to investigate and decide the case upon its merits.

THE PROPOSED MEASURE CARRIES NO COMFORT TO SWINDLERS.

In view of this record and the grave danger of the abuse of such an arbitrary power as that contained in the fraud-order statute, is there a fair-minded man in all this country who would oppose a law that would leave with the Postmaster-General sufficient authority to amply protect the mails against criminals and swindlers and at the same time give to those against whom fraud orders are issued, who honestly believe they are innocent of offense against the laws, an opportunity to go into court and prove their innocence? That is exactly the question at issue. The proposed measure does not make fraud easy, as some of its critics have declared, but it makes wrong and injustice difficult, if not impossible. No man is infallible. Even the Assistant Attorney-General for the Post-Office Department, who investigates and decides more than one case a day, may make a mistake occasionally.

The proposed legislation provides that when the Postmaster-General decides to issue a fraud order he shall make a record of it and cause a copy of the order to be served upon the person to be affected by it, and the order shall not be final until fifteen days after service or a return of "not found," but the moment the order is decided upon the Postmaster-General may stop the payment of postal money orders and the delivery of mail to the accused as effectually as if the order was absolute in the first instance. During the fifteen days the person affected by the proceeding may, upon the filing of a sufficient bond for the payment of costs and as a guaranty of good faith, commence suit in the United States district court in the district in which his post-office is located to have the fraud order proceeding reviewed both as to the law and the facts, and have the question of his guilt or innocence decided by the court upon legal evidence. If no proceeding shall be commenced within the fifteen days the fraud order becomes final and the accumulated mail and all other mail will be disposed of as it is disposed of under the present practice. If suit should be brought and it could not be determined within the fifteen days, upon filing a bond in the sum of $10,000 to cover all cost and damages, the court may order the further postponement of the fraud order until the suit is determined, but in the meantime the accused can not receive a single item of mail until the case is disposed of and he has proven his right to it. The power to impound the mail in the delivery post-office from the moment the Department decides that a fraud order ought to be issued, and keep it impounded in case of a suit in court until the suit is finally disposed of, is as complete and perfect protection of the public as is afforded by the existing law.

The bill authorizes the court to make such orders for the disposition of the mail pending the suit as the interests of justice may require. This provision is intended to give the court authority, where there is a large accumulation of mail, to appoint some responsible person to take charge of it and explain the situation to correspondents and hold money orders and valuables to be returned to the sender if the decision should be against the complainant. The bill gives no possible comfort to criminals and swindlers, and in no respect promotes the perpetration of fraud. It does not interfere with a single preventive power that the Postmaster-General has now. The Postmaster-General may go on and have cases investigated by inspectors and decide them upon confidential reports, with or without notice or hearing, just as he does now, and issue orders peremptorily withholding the privilege of the mails from those whom he believes to be using them for unlawful purposes, as effectually as he can under the present practice. *The right to go into court for a review of fraud orders would not arrest or suspend in any measure or degree the power the Postmaster-General has to shut off the mails on account of fraud, and the accused can not receive a single item of mail or collect a single money order until the case has been finally tried, and then only if he has clearly proved his innocence.* The bill does not provide for a long and tedious trial by a jury, as some of its uninformed critics have claimed. It provides for a "summary" trial, and that means a speedy trial. Every lawyer knows that a summary proceeding or suit can not permit a jury trial. The Department can not be embarrassed and subjected to unnecessary delays.

DOES NOT TEND TO PROMOTE UNMERITORIOUS LITIGATION.

Neither does the bill tend to encourage vexatious or unmeritorious litigation. A person who is using the mails for criminal or fraudulent purposes knows of his own guilt and he would not commence proceedings in court to review a fraud order. There would be no inducement for him to do so. What could he gain by it? He would be compelled to put up a bond and employ an attorney and to pay the costs of the litigation if he should fail, and he would not be permitted to receive any mail whatever until the case was finally disposed of. I repeat, any person who is using the mails for criminal or fraudulent purposes would never go into court under the provisions of the bill, because there would be absolutely nothing to be obtained by him. If he could commence proceedings and arrest the operation of the fraud order and in the meantime receive his mail there might be some object for him to do so, but the bill provides that the moment the Postmaster-General decides to issue the fraud order the mail shall be held up and shall be impounded all of the time until the case is finally decided, and if it is decided against the complainant he could not get a single item of it. No person would be prompted to go into court to resist a fraud order except one who honestly believed his rights had been unjustly denied him, and who will say that such an individual ought not to have that privilege? Furthermore, the swindler would be liable to criminal prosecution for fraudulently using the mails.

It is likely that four out of every five fraud orders are rightly issued and in none of those cases would there be any litigation. In the other one-fifth there ought to be a right to a hearing in court and a decision on the real merits of the case, if the person affected desired it. The courts are created for the purpose of determining controversies, and they are the chief safeguard of liberty and property. No man can be deprived of a right of the value of $5 in any State in the Union unless it be by due process of law, and that means by proceedings in court, where the witnesses testify in the open, where they can be cross-examined, where they are put under oath and are responsible for what they say, and yet it is insisted that in a proceeding that brands a citizen with infamy, that stigmatizes him as a criminal, that outlaws him and denies him the ordinary privilege of communicating with his wife or his dearest friend, he may be denied all the rights that experience has found necessary for the protection of person and property.

WHERE SUIT MAY BE COMMENCED.

The bill provides that suits shall be brought in the district in which the post-office is located at which the complainant has been receiving his mail. It is the policy of the Government to provide for the trial of cases at the place most convenient for the parties and witnesses, and the policy is a wise one. Under the fraud-order practice every hearing is held at the

Post-Office Department in the city of Washington. A citizen of California, for instance, who is notified to show cause why a fraud order should not be issued against him is required to bring his attorney and his witnesses clear across the continent, 3,000 miles or more, and make his defense before an officer who follows no rules and is bound by no kind of procedure. He may decide the case arbitrarily, in so far as questions of fact are concerned, and his decision can not be reached in any court.

In the States every citizen has the right to be tried in the county in which he resides. In the Federal Government every suit must be tried in the judicial district in which the controversy arises or where the defendant lives, and yet in the fraud-order practice every single hearing is conducted in the Post-office Department in the city of Washington.

I challenge anyone to point out in the proposed legislation a single provision that would permit any person accused of misusing the mails to gain any advantage whatever until he has proved by legal evidence in a court of justice his entire innocence of the charges made against him. The proceeding in court does not subject the Government to any undue and unnecessary trouble or embarrassment. It is as much the duty of the Government to protect the innocent in the enjoyment of their rights as it is to punish the guilty. If a man is guilty of misconduct the Government would have no difficulty in securing evidence to prove it. Testimony could be taken by deposition, and there are now over three hundred and sixty post-office inspectors traveling about over the country investigating the postal service and also quietly and secretly investigating the character of business of men who patronize the mails. The same detective service, the same spy system that gives the Postmaster-General information in the first place would furnish all the evidence that could be gotten to sustain fraud orders in the courts.

THE CASE OF THE PEOPLE'S BANK OF ST. LOUIS.

The chief argument against the bill is that one E. G. Lewis, of St. Louis, Mo., who was connected with the People's Bank at that place, against which a fraud order was issued in 1905, is advocating its enactment. That is a high ground of opposition, indeed. It seems to me that the bill should be considered and disposed of on its merits, without regard to who may be for it or who may be against it. The question is, Should the bill be enacted into law upon its own merits? I know nothing about the details of the People's Bank case. I do know, in a general way, that officers of the bank had sold over $2,000,000 of its stock to people throughout the country, and it had several hundred thousand dollars of deposits. In June, 1905, a fraud order was issued against the bank and its officers, which completely wrecked its business. The fraud order was issued upon confidential reports of post-office inspectors based upon secret investigations. The officers of the bank were not allowed to see or inspect the reports, and they do not know and probably never will know what evidence they contained. A receiver was appointed for the bank by a State court in St. Louis, and its affairs, settled through the expensive and wasteful process of a receivership, showed over $2,000,000 of net assets. Every debt due the bank was collected, every loan was well secured, and every depositor was paid in full, and the stockholders have been paid about 90 per cent of the face value of their stock, and there are assets yet remaining. An appeal was taken to the supreme court of the State of Missouri from the order of the local court appointing the receiver, and that order was reversed on the ground that no reason was shown that would justify the appointment of a receiver. The State supreme court ordered the management of the bank put back in the control of its officers, but the fraud order still stands, and, of course, the business of the bank is ruined.

It may be that the bank was doing a fraudulent business; I do not know. But I do know that directly after the fraud order was issued the officers of the bank brought suit in the United States circuit court in the eastern district of Missouri to enjoin the fraud order, on the ground that the business of the bank was not fraudulent or unlawful, and they asked the privilege of being permitted to prove by legal evidence in a public trial its entire innocence of fraud or wrongdoing. The Post-Office Department interposed through the United States district attorney and resisted the application, and the court decided that it had no power to inquire into the guilt or innocence of the bank or its officers; that that question had been decided by the Post-Office Department in the fraud-order proceeding, and whether that decision was right or wrong, whether it was based upon sufficient evidence or not, whether the evidence was given by competent or incompetent witnesses, the decision must stand as final, and no court had any power to review or inquire into it, and the suit was dismissed. I say, it may be that the bank was doing a fraudulent business, but the feeling is instinctive that its officers should have been given the right to show their innocence in a public trial if they were able to do so. There are numerous cases of that kind scattered throughout the country.

The proposed measure was introduced in the House on the 12th of January, 1906, and was referred to the Committee on the Judiciary. The Assistant Attorney-General for the Post-Office Department had notice of the bill, and he appeared personally at two meetings of the committtee and made oral arguments against it, and he also submitted a written argument against the bill. That committee, composed of eighteen of the ablest lawyers of the House, carefully and exhaustively examined the bill, and by a unanimous vote ordered it reported to the House with the recommendation that it pass. The bill was reported on the 12th of June, 1906, and remained on the Calendar until the 7th day of January, 1907, when it was taken up in regular order and thoroughly discussed and passed. Sixteen members of the House participated in the discussion, and every Member who desired had an opportunity to speak upon it. The bill passed the House without amendment by practically a unanimous vote. There were not five votes against the bill on its final passage.

I introduced and urged the passage of the bill because I thought it was right. I am firmly of the conviction that it is a just and meritorious measure, and I have no doubt that it, or some other bill embodying its principal features, will become a law in the near future.

I will print with this speech a copy of the bill as it passed the House.

An act to provide for a judicial review of orders excluding persons from the use of United States mail facilities.

Be it enacted, etc., That (a) the Postmaster-General shall cause to be kept a record of such orders as may be made in the Post-Office Department whereby any citizen of the United States (or any firm or corporation organized under the laws thereof, or under the laws of any of the said court in actions at law and in conformity with the ordinary rules and practice of the said circuit court of the United States (so far the same may be applicable and in harmony with the terms of this law); and in such particulars of practice and procedure as may not be expressly defined or indicated by this act the said circuit court wherein said cause may be pending shall prescribe and regulate, by general rules, the mode and method of procedure for the hearing and trial of such causes, and any appellate court into which said cause may be removable as aforesaid may, by like general rules, prescribe the mode and method of procedure therein for review in due course.

States, Territories, or possessions thereof) shall or may be deprived of or excluded from the right or privilege of receiving letters, money orders, or other mail matter through or by means of the United States mail, and said record shall be designated "Fraud-order record," and shall be so kept as to show the name of each person, firm, or corporation against whom such an order shall be made, as well as the date and the nature and extent of such order, and the same shall be a public record of the United States.

(b) And any person, upon written application therefor, shall be entitled to a copy thereof, duly certified as correct by direction of the Postmaster-General, upon payment of a fee of $1 for copying the same.

(c) And a copy of any such order shall be served by delivery of a certified copy thereof by the United States marshal (within and for the district wherein he shall have been appointed) to the person, firm, or corporation against whom the same shall be directed in the district wherein said person, firm, or corporation shall have a place of residence or of business, or its chief office, as soon as such service can reasonably be made.

(d) In all cases where any person whose right to the use of any mail facilities shall be affected by said order has, at the date thereof, a residence or place of business within any part of the United States or its territories or possessions, said order shall not become operative or put into execution (except to the extent of holding undelivered all mail directed to said party at the delivery office thereof) until fifteen days after the service thereof, or fifteen days after its date if service thereof can not be made as aforesaid.

(e) Any such citizen, firm, or corporation aforesaid whose said right or privilege to the use of the United States mail service is limited or denied by any such order made in the Post-Office Department of the United States may apply to the circuit court of the United States, or to any judge thereof in vacation (within the district of residence of any such applicant and within the period now allowed by law for the review of judgments of said court upon writ of error or appeal), and in such application shall pray a review of the matters of law and fact involved in the issue of such order; and the said court or judge shall hear and determine said application summarily, and if it is found by said court or judge that any such order has been made to the effect aforesaid, whereby said applicant has been deprived or limited in the use or enjoyment of any such right or privilege aforesaid, in or to the use of the United States mail service, the said court or judge shall grant to said applicant a writ of certiorari to the Postmaster-General, directing him to return, or cause to be returned, into said circuit court the record of said order affecting said applicant, together with so much of the original papers and other evidence relating thereto as, in his discretion, may be compatible with the public interest and with the proper discipline and conduct of the Post-Office Department or of any Executive Department of the United States Government; and said writ shall be returnable within ten days from the date thereof, unless longer time (not to exceed thirty days) be granted by said court or judge, upon due application therefor, and said writ shall be served upon the Postmaster-General in such manner as the said court or judge thereof may direct, best calculated to give prompt and full notice thereof, and due return of such writ shall be made according to its terms; and thereupon within the time mentioned in said writ and within thirty days of the date thereof the Postmaster-General shall cause to be returned into said circuit court the said record and such of the papers and evidence in said matter as he shall deem compatible with the public interest as aforesaid, and thereupon said matter of the justice and correctness,

both as to the law and the facts of said order of the Postmaster-General to which said application relates, shall be reviewed summarily and as promptly as may be practicable for the fair trial thereof anew, by said circuit court, as a civil action at law, with all the rights to either party incident thereto; said cause shall be entitled "The United States v. (names of the parties mentioned in said order of the Postmaster-General); and such records and evidence as may have been returned into said court under said writ of certiorari shall be received in evidence in said court on behalf of either party at the hearing of said matter, so far as the same may be competent and relevant to the issues therein, as well as any other evidence which the United States or the defendant may submit at the trial of said cause and which may be competent and relevant according to the usages and practice of said court in the trial of actions at law; and the proceedings for the further hearing of the said matter of said order and the review of any judgment thereon shall be in conformity with the practice and proceedings provided by law for the review of records, verdicts, and judgments in said court in actions at law and in conformity with the ordinary rules and practice of the said circuit court of the United States (so far as the same may be applicable and in harmony with the terms of this law); and in such particulars of practice and procedure as may not be expressly defined or indicated by this act the said circuit court wherein said cause may be pending shall prescribe and regulate, by general rules, the mode and method of procedure for the hearing and trial of such causes, and any appellate court into which said cause may be removable as aforesaid may, by like general rules, prescribe the mode and method of procedure therein for review in due course.

(f) But no order for a writ of certiorari as herein provided shall be made by said court, or judge thereof, unless the applicant, or some one for him, shall file in said court a bond to the United States in the sum of at least $500 (and in the discretion of said court or judge a larger sum, not to exceed $10,000), with good and sufficient surety (to be approved by said court or judge), conditioned to pay all costs to accrue in said cause and any and all damages occasioned meanwhile to any person (who may be defrauded, injured, or damaged by reason of the matters and things charged in said order, or to which the said order of the Postmaster-General refers), in the event the said order of the Postmaster-General shall be confirmed or adjudged valid by the final judgment in said cause; and any person aggrieved by any breach of any of the conditions of said bond may maintain an action at law against the obligors in said bond for the amount of any such damages, in any court of the United States having competent jurisdiction of such demand, in like manner as in other suits upon penal bonds given in judicial proceedings in courts of the United States; and if upon the filing of an application for review, as aforesaid, in the circuit court of the United States a bond be filed by said applicant therein in the sum of at least $500, with surety approved by any judge of a court of the United States (or by any clerk of such court in vacation), conditioned as hereinbefore provided, the said order affecting the use of the United States mails by said applicant shall be stayed until the further order of said court (except as to the detention of mail in the delivery office, as aforesaid); and said court may furthermore, in its discretion, make such orders as may be just for the care, custody, and disposition of all mail affected by said order of the Postmaster-General pending said cause and until the final determination thereof.

(g) And in case two or more applications should be made to review the same order of the Postmaster-General directed at two or more persons, the first application filed by either of said persons shall alone be entitled to be first granted, heard, and determined, upon the proper facts appearing, and any other application for such writ shall be postponed and continued until the determination of any and all prior applications praying a review of the same order.

(h) And the issue to be tried and submitted, as aforesaid, upon such writ of certiorari shall be whether or not the defendant or defendants in the application for said writ are guilty of the charge upon which the said order of the Postmaster-General under review is based, or whether or not the facts exist to warrant the said order of the Postmaster-General; and the court wherein said matter is pending shall distinctly express in writing the issue to be determined, according to the facts of the particular case, before the trial thereof is begun.

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

The Clerk read as follows:

For compensation to clerks and laborers at division headquarters, fifteen, at $1,600 each; nine, at $1,400 each, twenty-seven, at $1,200 each; eight, at $1,100 each; thirteen, at $1,000 each; five, at $900 each; and two, at $660 each; in all, $96,620.

Mr. LITTLEFIELD. Mr. Chairman, I move to strike out the last word. I would like to inquire of the chairman of the committee whether this is one of the paragraphs that includes increases of salaries?

Mr. OVERSTREET of Indiana. It does not.

Mr. LITTLEFIELD. While I am on my feet, then may I further inquire of the chairman upon what basis the salaries that are increased have been increased? I have been looking the report over, and while I find an explanation of the manner in which the increases are made I do not find any statement of the reasons why they are made. I get an aggregate increase of $8,900,000. Will the chairman be kind enough to state now, if he can, for what reason the committee made the increases and on the basis of what investigation?

Mr. OVERSTREET of Indiana. In answer to a very strong public demand, evidenced by the pressure in this House, and because we believe the proposed increases are justified.

Mr. LITTLEFIELD. I understand that is without reference to any investigation as to whether they are entitled thereto or not.

Mr. OVERSTREET of Indiana. Oh, there was an investigation, not by a summoning of witnesses, but by conversations with the officials of the Department as to the number of resignations on account of lack of compensation and the general difficulty in getting employees to continue in the service or to accept service on account of existing salaries.

Mr. LITTLEFIELD. I will say to the gentleman that I learn the Keep commission have made a very extensive investigation of the whole question of salaries, and the sworn testimony before the Committee on Expenditures in the Agricultural Department, a committee heretofore moribund, shows that all Government clerks drawing $1,400 and under are now receiving from 20 to 30 per cent more than men rendering similar service in private employment.

Mr. OVERSTREET of Indiana. Does not that apply entirely to the departmental service?

Mr. LITTLEFIELD. It applies to all Departments.

Mr. OVERSTREET of Indiana. I said departmental service. I do not understand that the Keep commission made any investigation into the employees of the post-offices throughout the country, but its investigation was limited to the departmental service.

Mr. LITTLEFIELD. To be entirely frank with the gentleman, I did not examine them as to that point, but Mr. Galloway and Mr. Pinchot both testified before my committee, and both testified that they had spent anywhere from eighteen months to two years and more in a very careful investigation of this whole question of salaries. I did not examine them in reference specifically to the Post-Office Department, but that statement was general that the salaries from $1,400 down are, after careful investigation and examination, from 20 to 25 per cent in excess of the salaries of men performing similar service in private life.

Mr. OVERSTREET of Indiana. Our view was quite to the contrary, so far as it related to employees in the postal service. We made no investigation of the departmental service.

Mr. LITTLEFIELD. You mean the distinct departmental service here in Washington?

Mr. OVERSTREET of Indiana. Yes, sir.

Mr. LITTLEFIELD. Well, they have given a list of over 62,000 employees as to which this condition applies. I have not the aggregate, I am having it made——

Mr. OVERSTREET of Indiana. Is this the same Mr. Pinchot to whom you refer the one who has just had his salary raised?

Mr. LITTLEFIELD. Yes.

Mr. OVERSTREET of Indiana. And he did not make any comment about salaries above $1,400?

Mr. LITTLEFIELD. I do not think that is a fair criticism. He was testifying before my committee on oath, and that suggestion does not impair the value of his testimony.

Mr. OVERSTREET of Indiana. The gentleman does not want to be understood he was not on oath when his own salary was under consideration?

Mr. LITTLEFIELD. I do not understand that he made an application for the increase of his own salary. I do not know anything about that matter, but I want to say to the gentleman further that the Keep Commission investigated the whole question, and Mr. Pinchot and Mr. Galloway simply testified before my committee as to the facts they ascertained. What I wanted to know was whether this committee had made any investigation of the facts for the purpose of determining whether or not these employees were being paid more than other persons doing similar work for private parties. And I may be allowed to say perhaps that the fact that Mr. Pinchot's salary was increased in the Senate the other day does not necessarily affect that proposition.

Mr. OVERSTREET. I quite agree with that proposition. Mr. Chairman, this is a matter that we can properly take up when that item is under consideration.

Mr. LITTLEFIELD. Mr. Chairman, I move to strike out the last two words for the purpose of finding out what part of the bill it is in, so that if I am here I can make the inquiry.

Mr. OVERSTREET. It begins on page 5.

Mr. LACEY. Mr. Chairman, I move to strike out the last word. I wish to call attention of the committee to the necessity at times for the exercise of the right to issue fraud orders. I hold in my hand a letter written by a man who calls himself the "registration agent of the Flathead Indian Reservation," which he writes to various old soldiers in the country wanting to register them for the Flathead opening. I will not advertise him by name, nor even state the locality in which he lives, but I will read from his letter for the benefit of the committee, because a great many Members are receiving these letters from old soldiers in their districts, wanting to know whether they ought to send this man $15 or not. Occasionally these letters come to the Members of the House with a $15 check inclosed, and Members come to me and ask whether it was a good thing for his constituent to forward $15 to the gentlemen in question. The letter states—

If you will write me what company and regiment you served in, when enlisted, and when discharged, I can prepare the papers necessary to register you for a 160-acre farm at the Flathead land opening.

You understand that your agent will be a responsible person, residing near the reservation, and that he will act for you only and can not represent any other soldier. The law prohibits an agent from acting for more than one soldier.

To make sure of getting registered, it is best to reserve an agent as soon as possible, as I must reject all applications after my agents are taken. I have been forced to do this at former openings.

My fee for furnishing an agent and having all necessary papers prepared is $15. This covers the entire cost of registration.

I inclose one of my application blanks, and will be glad to answer any other questions you may desire to ask.

As a matter of fact, the Flathead Reservation survey has not been completed. The allotments have not all yet been made. The President is authorized to make and proclaim the regulations as to the method of this opening. He may take the same method he adopted as to the Wind River Reservation and as to the Crow Reservation, and he may not. The law does not require anything of this kind, a different plan may be proclaimed, and here is a gentleman now collecting $15 in advance, possibly a year in advance of any opening at all, on the statement that this is "a matter of law," and that he can give them some special and peculiar advantage by reason of his employing him early so as to get in on the ground floor, as it were, with this gentleman who is engaged in the registration business.

This, on the face of it, is obtaining money for something that may or may not be useful. The chances are that it will not be useful. It is a very easy thing to get a list of old soldiers from the pension rolls of the different pension agencies, and then a letter like this, sent to each one of them, appealing to his cupidity, and telling him that he can get a quarter section of land for $15, is a very strong inducement to the party named. And I can see where the two or three gentlemen in different localities, who are working this scheme, may accumulate a very large fund, and therefore dispose of a considerable portion of the money we have just appropriated under the pension laws. It is an industry that I think ought to be broken up, and any Member of this House who receives circulars of this kind, I think, ought to be informed of the propriety of any one endeavoring to collect money from old soldiers this long in advance of any actual opening, without any notice whatever of what the terms of the opening will be.

Mr. CRUMPACKER. Will the gentleman answer a question?

Mr. LACEY. Yes, sir.

Mr. CRUMPACKER. Is not there a statute that makes it criminal for anyone to make use of the mails for the purpose of obtaining money under false pretenses, and would not that individual be subject to criminal prosecution if he is using the mails for that purpose, and has the gentleman notified the Department of Justice of this instance of gross abuse of the mailing privileges?

Mr. MANN. Does the gentleman know whether the Department of Justice are not waiting to know whether the Crumpacker bill will pass or not?

Mr. LACEY. The question is whether we ought to encourage this sort of thing or not—I am addressing the gentleman from Indiana [Mr. CRUMPACKER]—because I do not think that it should be permitted.

Mr. CRUMPACKER. I think that everybody believes in discouraging such things and everybody believes in prosecuting fraud and crime in the courts in the usual and ordinary manner, and using likewise the power the Postmaster-General has in a proper way to protect the public against impositions of that kind. I am as firmly a believer in the policy as the gentleman from Iowa.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. LACEY] has expired.

The Clerk read as follows:

For traveling expenses of inspectors without per diem allowance, inspectors in charge, and the chief post-office inspector, and expenses other than livery hire incurred by inspectors not covered by per diem allowance, $25,000.

Mr. MURPHY. Mr. Chairman, I make the point of order against line 7, after "inspectors in charge," and against the words "and the chief post-office inspector."

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. OVERSTREET of Indiana. Mr. Chairman, that is the law now. It is not contrary to existing law.

The CHAIRMAN. The Chair will hear the gentleman from Missouri [Mr. MURPHY] on the point of order.

Mr. MURPHY. Mr. Chairman, I claim that it is new legislation or general legislation on the appropriation bill here. It did not appear in the last appropriation bill.

Mr. OVERSTREET of Indiana. Oh, yes; it did.

The CHAIRMAN. The chairman of the committee states to the Chair that it is existing law. Can the gentleman controvert that statement? If not, the Chair overrules the point of order.

Mr. OVERSTREET of Indiana. Mr. Chairman, I move to amend, in line 8, page 3, by striking out the words "other than livery hire."

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

The Clerk read as follows:

For livery hire incurred by inspectors not covered by their per diem allowance in connection with the installation and inspection of rural routes, $60,000.

Mr. MANN. Will the gentleman explain why it was that he struck out the words "livery hire" in the last paragraph and leaves the same thing in this paragraph?

Mr. OVERSTREET of Indiana. This paragraph applies entirely to the livery hire incurred by rural delivery inspectors in the installation of the rural delivery service. If we had continued "other than livery hire" in the preceding paragraph, it would have prohibited any part of that appropriation being used by the inspectors for any portion of their livery hire when engaged in the discharge of their duties which required that character of expense.

For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers, $20,000: *Provided*, That of the amount herein appropriated not to exceed $2,000 may be expended, in the discretion of the Postmaster-General, for the purpose of securing information concerning violations of the postal laws, and for services and information looking toward the apprehension of criminals.

Mr. CRUMPACKER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert after line 23, page 3, the following:

"*And provided further*, That all reports of inspectors and other documents submitted in connection with fraud-order investigations shall be open to inspection and examination by any person, firm, or corporation whose right to receive mail at any post-office may be affected thereby."

Mr. OVERSTREET of Indiana. I make the point of order against that.

Mr. CRUMPACKER. I admit that the amendment is subject to the point of order, but I hoped that the gentleman would not make it.

The CHAIRMAN. The Chair sustains the point of order.

To complete the work of printing and binding the opinions of assistant attorneys-general for the the Post-Office Department, $10,000.

Mr. MURPHY. I reserve the point of order upon that paragraph, and ask the gentleman the question if that is provided for by law now?

Mr. OVERSTREET of Indiana. Mr. Chairman, I have forgotten the date, but a number of years ago authority was given by Congress for compilation of the opinions of the assistant attorneys-general for the Post-Office Department. The compilation was not completed. The appropriation was entirely expended, and to-day the Department is complaining that it has to resort to letter files or letterpress files in order to ascertain what those decisions were. This item is for a continuation of the compilation and to complete it.

The CHAIRMAN. The Chair understands the gentleman from Indiana to state that authority has been given by Congress for this purpose.

Mr. OVERSTREET of Indiana. In a letter of the Department to the chairman of the committee, under date of January 21, 1907, the Department made this explanation:

The act making appropriations for the service of the Post-Office Department for the year ended June 30, 1904, embraced an item appropriating $5,000 for—

Here are the quotation marks: "Printing and binding the opinions of the Assistant Attorney-General for the Post-Office Department."

And then the letter goes on:

Of that appropriation $4,208.75 was expended in printing and binding two volumes, covering opinions of this office from the date of its establishment, namely, June 23, 1873, to March 7, 1892, both inclusive. To complete the work of compiling, printing, and binding, these opinions there remains to be covered the period from March 7, 1892, to the present time, being nearly fifteen years; and it is believed that if performed with the same economy which characterized the previous work, this can be accomplished at an expenditure of about $10,000, including the preparation and printing of a suitable digest.

Mr. Chairman, that is the authority appropriating $5,000 in the act of June 30, 1904, for this work, and this item of appropriation is for the completion of that service.

The CHAIRMAN. The Chair understands the gentleman from Indiana to state that authority was given and appropriation made to complete the work of printing and binding certain documents.

Mr. STAFFORD. May I inquire whether the gentleman from Missouri has yet made the point of order?

The CHAIRMAN. The gentleman has reserved the point of order. The gentleman does not understand that any authority is given definitely for continuing this work.

Mr. PAYNE. Is unanimous consent required to reserve the point of order?

The CHAIRMAN. The Chair understands that the gentleman from Missouri makes the point of order now. The Chair has sufficient information as to what the appropriation was to cover, but now the gentleman from Indiana states that this is a continuation, an indefinite continuation of the work.

Mr. OVERSTREET of Indiana. I do not understand this present item is a continuation of this work, but it is to complete what was already begun.

The CHAIRMAN. Completing certain documents up to the time that it was made in 1904?

Mr. OVERSTREET of Indiana. I have not before me the law. I have no objection to its standing over until to-morrow and then I could call the attention of the Chair to the exact statute. I did not have any idea that anybody would object to the completion of that work which had already been undertaken.

Mr. OLMSTED. I think that the gentleman has stated that the work that the House authorized was in progress and reached a certain point in 1904, and it is to complete that work which was in progress.

Mr. OVERSTREET of Indiana. I have quoted from the letter what the item originally was for, and will read it again:

Printing and binding the opinions of the Assistant Attorney-General for the Post-Office Department.

The CHAIRMAN. Now, if the appropriation made here is for the purpose of completing the work of printing and binding the opinions then rendered, the Chair would overrule the point of order.

Mr. OVERSTREET of Indiana. Perhaps the gentleman from Missouri [Mr. MURPHY] has full information about the item.

Mr. MURPHY. The chairman of the committee [Mr. OVERSTREET] read in the letter that it was necessary for printing the opinions of the Attorney-General from the time that they left off down to the present time. That is what the letter stated and that is what the appropriation is for.

The CHAIRMAN. If the gentleman is correct in that, the Chair will sustain the point of order. The Chair sustains the point of order.

The Clerk read as follows:

For compensation to assistant postmasters at first and second class post-offices, 2, at $4,000 each; 27, at $3,000 each; 6, at $2,500 each; 5, at $2,000; 12, at $1,900 each; 20, at $1,800 each; 60, at $1,700 each; 100, at $1,600 each; 120, at $1,500 each; 105, at $1,400 each; 240, at $1,300 each; 370, at $1,200 each; 360, at $1,100 each; 270, at $1,000 each; 70, at $900 each; 60, at $800 each, and 60, at $700 each; in all, $2,275,000.

Mr. CRUMPACKER. Mr. Chairman, I move to strike out the last word for the purpose of obtaining some information with respect to this paragraph. I should like to know whether it contemplates a reduction or a change in the salaries of assistant postmasters.

Mr. OVERSTREET of Indiana. It does not contemplate any reduction of the salaries in any office. The several items of appropriation are ascertained by the record of the Department concerning offices that will during the next year, and possibly during the present year, rise into the next higher grade of compensation.

Mr. CRUMPACKER. Is the salary of a second-class postmaster fixed by law, or is it fixed by the discretion of the Postmaster-General?

Mr. OVERSTREET of Indiana. Are you talking about postmasters or assistant postmasters?

Mr. CRUMPACKER. Assistant postmasters.

Mr. OVERSTREET of Indiana. The law is that the salary of an assistant postmaster may not exceed 50 per cent of the salary of the postmaster in the particular office.

Mr. CRUMPACKER. That is what I had in mind, and I remembered having seen somewhere a criticism or a suggestion of a change on the basis of a reduction of the pay of assistant postmasters some 10 or 15 per cent, and I wondered——

Mr. OVERSTREET of Indiana. There has been nothing of that kind contemplated by this bill.

Mr. CRUMPACKER. That is all I wanted to know.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

That hereafter clerks in offices of the first and second class shall be divided into seven grades, as follows: First grade, salary $600; second grade, salary $700; third grade, salary $800; fourth grade, salary $900; fifth grade, salary $1,000; sixth grade, salary $1,100; seventh grade, salary $1,200. That clerks shall be promoted successively to the fourth grade in offices where the annual gross receipts shall be less than $50,000; and to the fifth grade in offices where the annual gross receipts shall be at least $50,000 and not in excess of $200,000; and to the sixth grade in offices where the annual gross receipts shall be in excess of $200,000: *Provided*, That the salary of clerks in second-class offices, except in localities where unusual conditions exist, shall not exceed $1,000.

Mr. GOEBEL. Mr. Chairman, I desire to offer an amendment.

Mr. MACON. Mr. Chairman, I desire to reserve a point of order on the paragraph which has just been read.

The CHAIRMAN. The Chair will recognize the gentleman from Arkansas to reserve a point of order.

Mr. OVERSTREET of Indiana. Mr. Chairman, I notice that the time is rapidly advancing. If the gentleman has a point of order I hope he will make it, and not reserve it till after we have consumed several hours in discussion. Do I understand that the gentleman is going to reserve a point of order against all of these?

Mr. MACON. I will make it. It is new legislation.

The CHAIRMAN. Does the gentleman from Arkansas make the point of order?

Mr. MACON. Yes; I make the point of order now instead of reserving it.

Mr. OVERSTREET of Indiana. May I ask the gentleman from Arkansas if he is not willing to let the matter stand for determination by the committee? It is of course subject to a point of order.

Mr. MACON. That is the reason I made it.

Mr. OVERSTREET of Indiana. But does not the gentleman feel that he can afford to debate the matter here? It is the only way we can get this proposition before the House.

Mr. MACON. That is the reason I asked to reserve the point of order so it could be debated.

Mr. OVERSTREET of Indiana. The gentleman ought not to take advantage of so technical a situation.

Mr. MACON. That is the reason I wanted to reserve the point of order, because I wanted to give everyone an opportunity to be heard.

Mr. OVERSTREET of Indiana. Is the gentleman's mind open to conviction, or is it already closed against this proposition?

Mr. MACON. It is open to conviction always, sir.

Mr. OVERSTREET of Indiana. What is the gentleman's doubt about the propriety of this legislation?

Mr. MACON. My doubt about it is this: I think it highly improper to attempt, by legislation of this character, to raise salaries in all of the appropriation bills that are presented to the House for consideration.

Mr. OVERSTREET of Indiana. Then you are opposed to the increasing of the salaries?

Mr. MACON. Yes.

Mr. OVERSTREET of Indiana. Opposed to all increases of the salaries?

Mr. MACON. Unless they are worthy of increase.

Mr. OVERSTREET of Indiana. Can you point out where there is any instance in this bill where the increase proposed is not a worthy increase?

Mr. MACON. The burden of showing that is upon you and not on me, sir.

Mr. OVERSTREET of Indiana. Then I will answer and say that they are all worthy.

Mr. MACON. In your judgment?

Mr. OVERSTREET of Indiana. Yes.

Mr. MACON. But not in mine, perhaps. When you convince me of the worthiness of the increases, I will quit making points of order; but until you do that, I will not. And I shall discharge my duty as my conscience dictates and as I believe to be right. Under no circumstances shall I be controlled by his judgment exercised in the manner in which he is now trying to exercise it.

Mr. OVERSTREET of Indiana. Mr. Chairman, I concede the point of order. Let the gentleman from Arkansas take the responsibility of making it.

Mr. MACON. I will do that with pleasure.

Mr. GOLDFOGLE. Will the gentleman from Arkansas yield for a question?

Mr. MACON. Yes.

Mr. GOLDFOGLE. The gentleman from Arkansas has heretofore been very kind and considerate and generous. [Laughter.] Now, the great majority of the Members on this side of the House favor the increase of salaries of the clerks as well as the increase of the salaries of the carriers; and, assume for a single moment that there are a few unworthy clerks in the service—something I do not at all believe—will not the gentleman recognize the fact that, generally, the clerks in the service are really worthy of this increase of salary? Now, in the spirit of justice and fairness, may we not ask the gentleman from Arkansas to withdraw his point of order?

Mr. MACON. Mr. Chairman, the worthiness or unworthiness of the clerks that I am discussing is not the question. But I want to say, sir, that here in the report presented by this committee it is shown that they are proposing to increase salaries to the amount of nearly $9,000,000 in this particular bill. It seems to me the disposition on the part of the appropriation committees is to flirt millions of dollars around about like an agent would a brand of tobacco that he was advertising by throwing sample plugs to the crowd that had assembled to hear him advertise his wares. When it comes to handling the people's money by the millions in that way, I, as one of their Representatives, am going to raise my voice against it.

Mr. GOLDFOGLE. Does not the gentleman think that the clerks, in view of their efficient service and also the increased cost of living, are worthy of the increase provided for in this bill?

Mr. MACON. I want to say to the gentleman from New York that there are thousands of young men in this country who are making bread for these clerks to live upon who do not receive half the pay that the clerks are now receiving.

Mr. OVERSTREET of Indiana. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. OVERSTREET of Indiana. Is a point of order now pending?

The CHAIRMAN. The point of order is pending.

Mr. OVERSTREET of Indiana. I ask for a ruling.

Mr. FITZGERALD. Mr. Chairman, may I ask the gentleman from Arkansas a question?

Mr. MACON. Certainly.

Mr. FITZGERALD. I desire to ask the gentleman if he proposes to make a point of order against the provision for the increase of pay of the rural carriers?

Mr. MACON. I will say to the gentleman from New York that I will attend to that matter when we reach it.

Mr. FITZGERALD. And I will say to the gentleman from Arkansas that I shall attend to that provision and make the point of order if he makes the point of order here, and the gentleman will be responsible for the two propositions.

Mr. GOLDFOGLE. I appeal to the gentleman from Arkansas to withdraw his point of order.

Mr. MACON. I want to say to the gentleman from New York——

The CHAIRMAN. The gentleman from Arkansas will suspend. The Chair is ready to rule on the point of order. The Chair sustains the point of order.

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

The CHAIRMAN. The paragraph has gone out.

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

The CHAIRMAN. The Clerk will read the next paragraph, and then the Chair will recognize the gentleman after that paragraph is read.

Mr. LITTLEFIELD. Does the Chair hold that a motion to strike out the last word of the paragraph at the bottom of page 4 is not in order?

The CHAIRMAN. The whole paragraph has gone out.

Mr. LITTLEFIELD. Not the paragraph at the bottom of page 4.

Mr. GOLDFOGLE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GOLDFOGLE. Did I not understand that the gentleman from Arkansas reserved the point of order?

The CHAIRMAN. The point of order was made and the Chair was called upon for a ruling by the chairman of the Post-Office Committee.

Mr. GOEBEL. Mr. Chairman, can I offer my amendment as a substitute for that item?

Mr. OVERSTREET of Indiana. I make the point of order, Mr. Chairman, that you can not offer a substitute for a vacancy. [Laughter.]

The CHAIRMAN. The gentleman from Ohio is recognized to offer his amendment as a new paragraph.

The Clerk read as follows:

Insert as a new provision the following:

"*Provided further*, That in addition to the foregoing allowance there shall be allowed and paid to each employee in the respective grades a sum which together with the allowance herein provided would equal 20 per cent upon the salary now fixed by law."

Mr. FINLEY. Mr. Chairman, I reserve the point of order.

Mr. OVERSTREET of Indiana. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Indiana makes the point of order and the Chair sustains it.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

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

On February 16:

H. R. 20060. An act granting an increase of pension to Anna E. Hughes;

H. R. 20168. An act for the relief of F. Kraut, of Leon Springs, Tex.; and

H. R. 20169. An act for the relief of Margaret Neutze, of Leon Springs, Tex.

On February 18:

H. R. 8365. An act for the relief of C. A. Berry;

H. R. 19930. An act referring the claim of S. W. Peel for legal services rendered the Choctaw Nation of Indians to the Court of Claims for adjudication;

H. R. 24473. An act to define the status of certain patents and pending entries, selections, and filings on lands formerly within the Fort Berthold Indian Reservation, in North Dakota;

H. J. Res. 224. Joint resolution directing the Secretary of Commerce and Labor to investigate and report to Congress concerning existing patents granted to officers and employees of the Government in certain cases; and

H. R. 15242. An act to confirm titles to certain lands in the State of Louisiana.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

That hereafter carriers in the city delivery service shall be divided into six grades, as follows: First grade, salary $600; second grade, salary $700; third grade, salary $800; fourth grade, salary $900; fifth grade, salary $1,000; sixth grade, salary $1,100. That carriers shall be promoted successively to the fourth grade in offices where the annual gross receipts shall be less than $50,000; and to the fifth grade in offices where the annual gross receipts shall be at least $50,000 and not in excess of $200,000; and to the sixth grade in offices where the annual gross receipts shall be in excess of $200,000: *Provided*, That the compensation of a letter carrier shall not exceed $900 in offices where the annual gross receipts are less than $50,000; and shall not exceed $1,000 in offices where the annual gross receipts are in excess of $50,000 and not in excess of $200,000; and shall not exceed $1,100 in offices where the annual gross receipts are in excess of $200,000: *Provided further*, That letter carriers employed in cities recognized by the Post-Office Department as now having a population in excess of 75,000, where the gross receipts of said offices at the time of the passage of this act are less than $200,000, shall be entitled to all the privileges and subject to all the requirements of this act applicable to post-offices whose gross receipts are in excess of $200,000.

Mr. MACON. Mr. Chairman, I reserve the point of order on the item.

The CHAIRMAN. The gentleman from Arkansas reserves the point of order on the item.

Mr. OVERSTREET of Indiana. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. OVERSTREET of Indiana. How long can a man hold in reservation a point of order?

Mr. MANN. Mr. Chairman, I insist upon a ruling. The gentleman should either make the point of order or not.

The CHAIRMAN. The Chair is trying to answer a parliamentary inquiry. When a point of order is reserved the merits of the proposition may be discussed until some member of the committee calls for a ruling, and then the Chair will rule. The gentleman from Illinois now calls for a ruling, insists upon the point of order, and the Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

That hereafter all promotions of both clerks and carriers shall be made at the beginning of the quarter following the expiration of a year's service in the next lower grade. No promotion shall be made except upon evidence satisfactory to the Post-Office Department of the efficiency and faithfulness of the employee during the preceding year. The Post-Office Department may reduce a clerk or carrier from a higher to a lower grade whenever his efficiency falls below a fair standard or whenever necessary for purposes of discipline. When a clerk or carrier has been reduced in salary he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, on evidence that his record has been satisfactory during the intervening period. When a clerk or carrier fails of promotion because of unsatisfactory service he may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period. Clerks and carriers of the highest grade in their respective offices shall be eligible for promotion to the higher positions in said post-offices.

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

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. MACON. Mr. Chairman, because of the exercise of what I conceive to be a legitimate duty gentlemen of the committee have seen fit to act in a manner that I consider to be unbecoming in them. In fact, sir, threats have been made against the increase of the salaries of the rural carriers because I made a point of order against certain paragraphs a few moments ago. I refer to the threat of the gentleman from New York [Mr. FITZGERALD], that if I persisted in the point of order that I was then making against that paragraph that he proposed to make a point against the paragraph increasing the salaries of the rural carriers.

Sir, he can do that if he likes. That is his privilege. If he is honest in his desire to have them remain at what they are, then, sir, he has a perfect right to exercise that privilege upon this floor, and I will never be heard to question his authority or privilege to do so; but, sir, if he thinks they ought to be raised, and he is simply going to reduce them because of my acts, let him do it, and let the responsibility rest upon him, as it must, because, sir, I am not the keeper of any man's vote or voice upon the floor, and I am not standing sponsor for the salaries of any of the officials of this Government. Therefore, sir, it will be no punishment to me. Let him bear the sin of his own acts. I am prepared to stand for my acts, and I expect to do what I honestly believe to be right, regardless of the opinion or acts of the gentleman from New York.

Mr. FITZGERALD. Mr. Chairman, I want to be heard in opposition to the amendment of the gentleman from Arkansas. [Laughter.] I suppose that the gentleman from Arkansas intended to justify himself, and I am surprised to find that he is trying to exonerate me. Those who know me, Mr. Chairman, know I do not need any assistance in that way for my actions in this House. The situation with regard to this bill is very clear, and I desire it to go into the RECORD for the benefit of the constituents of the gentleman from Arkansas. This bill carries provisions which contemplate increase of salaries of a great number of employees of the Postal Department, including clerks in certain offices, city carriers, and rural carriers. Those provisions in this bill are technically in violation of the rules of the House. The practically unanimous desire of Members of the House at this late day in the session to have an opportunity to pass upon the question as to whether the pay of rural carriers and of city carriers and of certain clerks shall be increased has resulted in the committee coming here and practically asking unanimous consent that the House be given an opportunity to pass upon all of those questions.

The gentleman from Arkansas [Mr. MACON], fortunately for those of us who will not permit an injustice to be done, is compelled to make his points of order against the provisions for the increase of the clerks in the city offices and against the increases for the city carriers before the provisions for the increases for the rural carriers are reached. I desired to ascertain the gentleman's opinion as to the propriety of increasing the salaries of the rural carriers, because if he favors an increase, and desires that the House pass upon that increase in this bill, he should be equally willing to permit the House to pass upon the other proposed increases. If he persists in his determination to prevent the House passing upon the proposed increases for the city carriers and clerks he alone will be responsible for the House being prevented from passing upon the proposed increase of compensation for the rural carriers. [Applause.]

I know it would embarrass the gentleman from Arkansas [Mr. MACON] to make a point of order against the provision to increase the salaries of the rural carriers. I am and always have been his good friend, and in consideration of his kindness and of the exercise by him of his prerogative in preventing the House passing upon the increases of the salaries of the city clerks and the city carriers, for his benefit I shall interpose the point of order against the increase for the rural carriers. And I want this House, and I want his constituents particularly, to know that he is the person who is responsible for my action. I do not intend to permit a gentleman like the gentleman from Arkansas to come and to reap for his district the benefits of violation of the rules and prevent equal benefits being accorded to the gentlemen from districts differently situated.

The gentleman from Arkansas [Mr. MACON] can take his choice. Either he will permit the House to pass upon all of these proposed increases, or he will have no opportunity to have it pass upon those in which he and his district are particularly interested.

Mr. JAMES. Will the gentleman permit a question?

Mr. MACON. Mr. Chairman, I move to strike out the last two words.

Mr. JAMES rose.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Chairman, I yield to the gentleman from Kentucky [Mr. JAMES].

Mr. JAMES. I would like to inquire of the gentleman if he believes the salary given in this bill to rural carriers is an adequate salary?

Mr. FITZGERALD. I believe the salary proposed to be given to the rural carriers is reasonable compensation for the service, and I favor it.

Mr. JAMES. And that they should have it?

Mr. FITZGERALD. They should have it.

Mr. JAMES. Would the gentleman deny to the rural carriers of the United States just compensation when they are not to blame for the action of the gentleman from Arkansas?

Mr. FITZGERALD. No; I would not do that. But I will assume the responsibility for bringing to the notice of the gentleman's constituents the fact that by his action it is impossible to have those in whom his people are interested treated properly in this House. [Applause.]

Mr. MACON. Mr. Chairman, I move to strike out the last two words.

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

The CHAIRMAN. Did the gentleman from Illinois rise to a parliamentary inquiry?

Mr. MANN. The gentleman from Illinois is entitled to recognition prior to the gentleman from Arkansas, I believe. The gentleman from Arkansas just spoke on his motion.

The CHAIRMAN. The gentleman from Arkansas, it seems to the Chair, was on his feet first and should be recognized to reply.

Mr. MANN. Mr. Chairman, I have no desire to shut out the gentleman from Arkansas.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last two words.

Mr. MACON. Mr. Chairman, the gentleman from New York has expressed his friendship for me. [Laughter.] He has exhibited a great deal of consideration and friendship for me since I have been a Member of this body. He has put himself out of the way time after time to render me great service. He has gone to great lengths in his effort to show that he was my friend in season and out of season, by day and by night; but, sir, I have failed to see or feel the effects of any of his friendly efforts in my behalf.

Mr. FITZGERALD. Well, I do not regret my generosity. [Laughter.]

Mr. MACON. I suppose not, but I want to say to the gentleman that if his efforts against me in my district have no more effect upon the honorable constituency that I represent than his efforts in my behalf have had for me since I have been here, there will nothing come of his attempt to hurt me at home by making a bad record for me up here. [Laughter.]

Mr. MANN. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois is recognized and unless gentlemen have points of order or parliamenary inquiries they will not be recognized until the gentleman from Illinois has concluded.

Mr. MANN. Mr. Chairman, I do not think the gentleman from Arkansas is subject to criticism for making the point of order. It was a right which he had under the rules of the House, rules made for the protection of any Member of the House. Nor do I quite agree with my friend from New York, who, in the heat of the moment, states that he will make the point of order upon the provision in the bill with reference to rural carriers.

Mr. Chairman, it is undoubtedly true that the city clerks and carriers ought to have their salaries increased, and they appeal to this Congress for justice in their behalf. It is also undoubtedly true that the rural carriers are entitled to have their salaries increased, and I have no doubt that while the gentleman from Arkansas, within the limits of his province, has made the point of order under the rules, there is also another provision of the rules under which this House, in my judgment, will be enabled to consider both propositions, at the right time and in the right manner. [Applause.]

In my short experience in this House I never have seen the time when one man, under the rules and against the opinions of the rest of the House, could sustain his side by merely making a point of order. I have heard criticism of the rules of this House and the management of this House at different times, but in ten years' experience in this House I have learned that when a majority of the House had reached a conclusion

upon a particular proposition it found a way to put it into the law; and notwithstanding the exercise of his rights by my distinguished friend from Arkansas, in my judgment, the House will find a way on these propositions. [Applause.]

Mr. OVERSTREET of Indiana. I move that all debate on the pending proposition be now closed.

The CHAIRMAN. On the paragraph?

Mr. OVERSTREET of Indiana. On the pending paragraph and all amendments thereto.

The CHAIRMAN. If there be no objection, the pro forma amendments will be withdrawn. The gentleman——

Mr. HUGHES. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HUGHES. A parliamentary inquiry.

The CHAIRMAN. Will the gentleman from West Virginia kindly allow the Chair to state the question? Then the Chair will respond to a parliamentary inquiry. If there be no objection, the pro forma amendment will be considered as withdrawn. The gentleman from Indiana moves that all debate on this paragraph and any amendments thereto be now closed. For what purpose does the gentleman from West Virginia rise?

Mr. HUGHES. I want to make a parliamentary inquiry, and to send this amendment to the Clerk's desk and see if it will be in order to offer it at this time.

Mr. OVERSTREET of Indiana. I make the point of order that that is out of order.

The CHAIRMAN. The gentleman asks a hypothetical question.

Mr. OVERSTREET of Indiana. I understand there is no motion pending except the pro forma amendment to strike out.

The CHAIRMAN. And that has been withdrawn; but the Chair understands the effect of the gentleman's motion, if adopted, will be to permit the offering of amendments, but to prevent all debate thereon. The motion is that all debate on this paragraph and any amendment thereto be now closed.

The motion was agreed to.

The CHAIRMAN. The Chair will recognize gentlemen to offer amendments.

Mr. HUGHES. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On pages 5 and 6, wherever the word "fifty" appears, strike out "fifty" and insert "forty."

Mr. OVERSTREET of Indiana. I make the point of order that those items have gone out.

The CHAIRMAN. The point of order is sustained. The amendment applies to paragraphs of the bill which have been stricken out or passed.

Mr. OVERSTREET of Indiana. I ask the Clerk to read.

The Clerk read as follows:

That hereafter any clerk shall be eligible for transfer to the service of a carrier, and any carrier shall be eligible for transfer to the service of a clerk, such transfer to be made to any grade not higher than the corresponding grade, and the time which such clerk or carrier shall have served in the grade from which such transfer was made shall be counted in connection with the service to which such transfer may be made in computing the time of service necessary to entitle such employees to promotion: *Provided*, That no clerk or carrier shall be promoted more than one grade within any one year's period of service.

Mr. MACON. Mr. Chairman, I make the point of order against that provision.

The CHAIRMAN. The gentleman from Arkansas makes a point of order against the provision, and the Chair sustains the point of order. The Clerk will read.

Mr. OVERSTREET of Indiana. A parliamentary inquiry. Was the point of order made against the proviso only?

Mr. MACON. No; against the paragraph.

The CHAIRMAN. Against the paragraph, beginning with line 18.

Mr. OVERSTREET of Indiana. I ask the Clerk to read.

Mr. CROMER. I offer an independent amendment.

Mr. OVERSTREET of Indiana. The reading of the bill is at line 4 on page 8, as I understand.

The CHAIRMAN. Yes.

Mr. OVERSTREET of Indiana. I ask for order, in order that we may hear the reading of the bill.

The CHAIRMAN. The committee will please be in order. Will gentlemen standing in the middle aisle please be seated?

Mr. CROMER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CROMER. I have an amendment to offer at this point.

The CHAIRMAN. A new paragraph?

Mr. CROMER. Yes; I will have to offer it as a new paragraph.

The CHAIRMAN. The gentleman from Indiana [Mr. CROMER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert as an independent paragraph the following:

"That all clerks and letter carriers at first and second class post-offices shall be granted leave of absence, with pay, not to exceed thirty days in each year, exclusive of intervening Sundays and holidays, under such regulations as the Department shall prescribe."

Mr. OVERSTREET of Indiana. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

That hereafter auxiliary employees may be employed to be paid for actual service at the rate of 30 cents an hour: *Provided*, That such employees shall be required to work not less than two hours daily: *And provided further*, That such employees shall be eligible for appointment as clerks and carriers of the first grade.

Mr. MADDEN. Mr. Chairman, I make a point of order against that paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

That hereafter substitutes may be employed to be paid at the rate of 30 cents an hour when serving for absent clerks and carriers: *Provided*, That such substitutes shall be eligible for appointment as auxiliary employees and as clerks and carriers of the first grade.

Mr. MADDEN. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Auditors, two, at not exceeding $3,000 each.

Mr. PARSONS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

In line 21, page 8, strike out the word "two" and insert "private secretary three."

Mr. OVERSTREET of Indiana. Mr. Chairman, I make a point of order against that that it is new legislation.

Mr. PARSONS. Will the gentleman reserve it?

Mr. OVERSTREET of Indiana. No; I think we ought to be progressing.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LITTLEFIELD. Mr. Chairman, I move to strike out the last word, principally for the purpose of making an inquiry which I would have made if, very much to my regret, paragraphs on pages 5 and 6 had not gone out on points of order. Also for the further purpose of answering an inquiry of the chairman of the committee in relation to the testimony of Mr. Pinchot, which the gentleman will see, when I come to read his testimony, is confined to the clerical force in Washington.

I read from his testimony:

The CHAIRMAN. What conclusion have you reached with reference to the question as to whether or not any portion of the men engaged in the Government service receive more or less than the same men would receive in rendering substantially the same service for private parties?

Mr. PINCHOT. The employees in the lower clerical positions are overpaid, as compared with those in the outside business world.

The CHAIRMAN. Would you be able to fix approximately a limit within which the salaries should be called lower—say, from $1,400 down?

Mr. PINCHOT. From $1,400 down. Would not that be a proper division, Mr. Price?

Mr. PRICE. Yes; $1,400 down.

The CHAIRMAN. Taking the salaries from $1,400 down, your opinion, then, would be that the average salary paid to Government employees is larger than that paid to men of the same ability rendering substantially the same service to private parties?

Mr. PINCHOT. Yes.

The CHAIRMAN. And about how much?

Mr. PINCHOT. From a fifth to a third, approximately.

The CHAIRMAN. That would be 20 to 25 per cent?

Mr. PINCHOT. Twenty to 30 per cent would approximate it.

The CHAIRMAN. That conclusion, as I understand it, is a result of a careful study of this question?

Mr. PINCHOT. Yes; but let me add there is a reason why that should be so.

The CHAIRMAN. I will come to that a little later.

Then a little further on—

The CHAIRMAN. Do you mean from $1,400 down?

Mr. PINCHOT. From $1,400 down. There ought to be an increase above that, but I am speaking now of the grades from $1,400 down, taking what roughly may be called the clerical end of the Government's work. The Government pays more for that kind of service than is paid on the outside, in my judgment; but there is very excellent reason why that should be so. In the first place, the Government requires a higher grade of employee than the average business organization, and is not satisfied unless that grade is reached. In the second place, the apportionment by States under the Civil Service Commission means that a very much larger proportion of people in Washington are living away from home, and therefore under extra expense, than is the case in commercial life.

And he further states:

The CHAIRMAN. That takes it up to $1,400. Whether it has reached the limit is, of course, open for discussion.

Mr. PINCHOT. Exactly. I want to add that the Government is not yet paying sufficiently in excess of the salaries paid outside to make the lives of the clerks here as reasonably comfortable as they ought to be.

A slight increase is required. That increase the Keep Commission has worked out and recommended; and in ten bureaus we find that the increase recommended amounts to between 6 and 10 per cent beyond the present salaries paid.

The CHAIRMAN. That is, in the list below $1,400?

Mr. PINCHOT. No.

The CHAIRMAN. You mean that includes the whole list?

Mr. PINCHOT. That includes the lists up to the end of the clerical grade, as we call it—$2,100.

The CHAIRMAN. An increase of from 6 to 10 per cent?

Mr. PINCHOT. From 6 to 10 per cent in the salaries now paid.

Now, my inquiry of the chairman is this, if the Chair will excuse me: This statement here relates to an increase of 6 to 10 per cent upon the salaries paid here in Washington, as the result of a careful investigation made. Now, what I wanted to inquire was whether the increases recommended here—I have not intimated any objection to any of them—were made upon the basis of a careful investigation as to the services rendered and their fair market value or are they purely arbitrary in their character? Of course, the paragaph has gone out, but I understand from information from the gentleman from Illinois that we may later have that same question before us in another parliamentary status, and I would like to have the gentleman state in relation to that what the fact is.

Mr. OVERSTREET of Indiana. Mr. Chairman, I prefer not to enter upon a discussion of that item at this late hour. I ask that the Clerk read.

The Clerk read as follows:

Superintendents of delivery and superintendents of mails, twenty-three, at not exceeding $2,700 each.

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

Mr. MURPHY. Mr. Chairman, I make the point of order against that paragraph.

The CHAIRMAN. Was the gentleman from Missouri on his feet endeavoring to secure recognition?

Mr. MURPHY. I was.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri, to make the point of order. Will the gentleman state his point of order?

Mr. MURPHY. That changes existing law. There are seventeen superintendents of delivery and superintendents of mails, and this increases them to twenty-three.

Mr. OVERSTREET of Indiana. Mr. Chairman, the existing law authorizes the employment of superintendents, and indeed in all of the various titled provisions following in the next ten pages or more there is no change of existing law as to the designation. There is no way, Mr. Chairman, to appropriate for the postal service at all except as it grows, and as offices ripen into larger offices, requiring a larger number of employees, provisions by way of appropriations are made for such growths. There is absolutely no change of designated places. The existing law authorizes seventeen of these places as a whole. We authorize twenty-three in order to take care of the growth of these offices where the business has developed beyond the machinery that is now provided in accordance with the law.

Mr. MURPHY. Mr. Chairman——

The CHAIRMAN. Does the Chair understand the gentleman to say the existing law fixes the number at seventeen?

Mr. OVERSTREET of Indiana. The current appropriation law fixes seventeen of such employees. There is no other way to provide for an additional number, and let me say, Mr. Chairman, in order that there may be no misunderstanding, that the only way to provide for additional employees——

The CHAIRMAN. May I ask the gentleman from Indiana if there is anything outside of the appropriation bill that authorizes the appropriation for superintendents?

Mr. OVERSTREET of Indiana. Nothing.

The CHAIRMAN. Then the Chair sustains the point of order.

Mr. MANN. Mr. Chairman, before the Chair sustains the point of order, will the Chair hear a little further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. STAFFORD. Mr. Chairman, will the gentleman from Illinois permit me? I believe the chairman of the committee made a misstatement under a misapprehension of the purport of the question put by the Chair in saying that there was no other law than that carried in the appropriation bill. As I understand it, there is substantive law providing for these offices, but not providing for the number thereof.

Mr. OVERSTREET of Indiana. Oh, I made that statement. I simply referred to the total number.

Mr. STAFFORD. I understood the Chairman to address to the gentleman from Indiana the question whether there was any provision of law outside the appropriation bill for these respective officers——

The CHAIRMAN. That was the question the Chair asked.

Mr. STAFFORD. Mr. Chairman, in view of the statement of the chairman of the committee, I wish to inform the Chair that there is such a law providing for these respective officials, but not limited as to the number.

The CHAIRMAN. Then it is important we should know what the law is.

Mr. STAFFORD. That can easily be presented, Mr. Chairman.

Mr. OVERSTREET of Indiana. Perhaps the gentleman from Missouri can state what law it is in violation of. He has made the point of order.

Mr. MURPHY. I do not care to discuss that point, but I do want to say this, that the gentleman offered an amendment to increase auditors a little while ago and the chairman of the committee made a point of order against it.

The CHAIRMAN. The Chair will state to the gentleman from Missouri, if there is any general authority of law for the employment of these people, the Chair will overrule the point of order. If there is not, the Chair will sustain it; but the Chair would like to know of the gentleman from Missouri or some one what the law is.

Mr. OVERSTREET of Indiana. Mr. Chairman, I have not the law at hand, but I am satisfied there is a general law relative to the maintenance of the postal service.

Mr. MANN. I go a little further than the gentleman from Indiana goes in this; there is authority of law for the maintenance of the Post-Office Department. It is sufficiently evident to every person that the Post-Office Department is a growing department.

That it is something that must be taken care of; that it is impossible to have the same number of clerks to-day and have the same number last year and have the same number ten years from now, or next year, with the number of clerks in different grades, and this case goes to the whole question of clerks of from $100 up, and the whole question of clerks must be considered in connection with the work of the Post-Office Department, and that it is a part of the maintenance of the Post-Office Department. Now, it is not possible, it is not practicable, and it is not proper that every year the Post-Office Department or the Post-Office Committee should be required to bring into the House a bill fixing the number of clerks for the ensuing fiscal year before the appropriation bill comes in.

The CHAIRMAN. The Chair thinks except for clerks in the classified service in the Department it is necessary.

Mr. MANN. These, of course, are clerks.

The CHAIRMAN. These are superintendents not employed here, but employed in the post-offices throughout the country.

Mr. MANN. I understand that these are the clerks employed in the post-offices throughout the country. The same thing would go to the pay of all things that are not provided for by law fixing the amount of pay. Now, the post-office appropriation bill is a varying amount every year. It must vary with the service. It is a service that is in existence and in progress.

The CHAIRMAN. But in the absence of law the Chair would have to sustain the point of order.

Mr. MANN. But the law provides for the maintenance of the post-office service.

The CHAIRMAN. It applies to the clerks in the classified service here.

Mr. MANN. Oh, the law, I beg the pardon of the Chair, in reference to the post-offices applies to the post-offices throughout the country, and applies to the necessary people to run the post-office service throughout the country. This bill, of course, has nothing to do——

The CHAIRMAN. Will the gentleman from Illinois call the Chair's attention to that law?

Mr. MANN. I think we can if the Chair will give us time. I can not lay my finger on it now.

Mr. CRUMPACKER. Mr. Chairman, I suggest that the matter go over until to-morrow. Nobody seems to know what the law is; therefore we can take a little time. I suggest that it go over until to-morrow.

The CHAIRMAN. The gentleman from Indiana [Mr. CRUMPACKER] asks unanimous consent that this matter may be passed without prejudice.

Mr. MURPHY. May I say a word?

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MANN. The same matter applies to nearly all the items in the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, private secretaries, superintendent of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 369, at not exceeding $1,400 each.

Mr. PARSONS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from New York [Mr. PARSONS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 12, line 8, insert, after the words "chief stamp clerks," the word "clerks."

Mr. OVERSTREET of Indiana. Mr. Chairman, I suggest that the gentleman make that to read "distributing and registering clerks."

Mr. STAFFORD rose.

The CHAIRMAN. For what purpose does the gentleman from Wisconsin [Mr. STAFFORD] rise?

Mr. STAFFORD. To make the point of order against the amendment offered by the gentleman from New York [Mr. PARSONS].

The CHAIRMAN. Does the gentleman reserve his point of order?

Mr. STAFFORD. I reserve it.

Mr. OVERSTREET of Indiana. I will suggest to the gentleman from New York [Mr. PARSONS] that instead of saying "clerks" he designate them as "registering and distributing clerks."

Mr. PARSONS. I will say to the gentleman that I telegraphed to New York to find out the proper designation of the men who are now paid under the designation of "clerks," which was the designation in last year's appropriation bill. I understand that some of them are distributing clerks and some of them may be doing other work which does not come within the definition of "distributer."

Mr. OVERSTREET of Indiana. The gentleman, I presume, knows that the word "clerk" is in this item of current law. Having made a general recommendation for the classification, it was the clear intent to limit "clerks" to no higher grade than $1,200, and let the employment above the $1,200 grade be designated "employees," and it is on that account that the word "clerk" was omitted. And appreciating the situation in the New York office, where there are now employed some employees under the technical designation of "clerks," but who are really registering and distributing clerks, I suggest that he make his amendment read, instead of "clerks," "registry and distributing clerks."

Mr. PARSONS. Mr. Chairman, I regret to say that may not meet the situation in New York. The postmaster informs me that some of them are known as distributers, registry, money-order, inquiry, and other clerks, and I have telegraphed to New York to find out what he means by "other clerks," so that, if there is no objection, the exact designation may be inserted, and I would be willing, if unanimous consent is granted, that this be passed now and be taken up to-morrow.

Mr. OVERSTREET of Indiana. I am entirely willing that unanimous consent may be given that the gentleman may offer an amendment to that paragraph and allow the remainder of the paragraph to be adopted. I will interpose no objection to an amendment being offered to-morrow.

Mr. PARSONS. That will be satisfactory.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may have the right to recur to this paragraph and offer an amendment.

Mr. STAFFORD. I understand that the reservation of the point of order will apply.

The CHAIRMAN. The gentleman can make his point of order after the amendment is offered. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

The Clerk read as follows:

Assistant cashiers, superintendents of delivery, assistant superintendents of money order, assistant superintendents of mails, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, finance clerks, foremen of crews, private secretaries, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 606, at not exceeding $1,300 each.

Mr. PARSONS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 12, line 19, insert, after the words "chief stamp clerk," the word "clerks."

Mr. OVERSTREET of Indiana. Mr. Chairman, I make the same request that the same condition shall apply to this paragraph as does to the preceding.

Mr. STAFFORD. And I reserve the point of order on that also.

Mr. PARSONS. And I ask unanimous consent to return to that paragraph.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may have the right to recur to that paragraph and offer an amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, chief stamp clerks, clerks, finance clerks, foremen of crews, printers, private secretaries, superintendents of carriers, superintendents of second-class matter, superintendents of stations, and machinist, 2,003, at not exceeding $1,200 each.

Mr. OVERSTREET of Indiana. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 13, line 8, strike out "two thousand and three" and insert "two thousand four hundred and ninety-eight."

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

The Clerk read as follows:

Assistant superintendents of stations, clerks, printers, private secretaries, superintendents of carriers, superintendents of second-class matter, and superintendents of stations, 3,603, at not exceeding $1,100 each.

Mr. OVERSTREET of Indiana. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 13, line 13, strike out "three thousand six hundred and three" and insert "three thousand one hundred and eight."

The amendment was agreed to.

The Clerk read as follows:

Carpenters, clerks, clerks in charge of stations, and pressmen, 4,091, at not exceeding $800 each.

Mr. OVERSTREET of Indiana. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 14, line 1, strike out "four thousand and ninety-one" and insert "seven thousand six hundred and eight."

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

Mr. SULLIVAN. Mr. Chairman, I would like to inquire what these increases are about?

Mr. OVERSTREET of Indiana. Mr. Chairman, these three increases were to make corrections in the total of the number of employees necessary for each of the several classes now employed in the service. It is the number of employees recommended by the Department for additional service during the next fiscal year. It was all prepared by the Department, and the committee accepted the statement of the Department. The Department made a mistake and later our attention was called to it. They made no changes in the items of appropriation of money.

Mr. OLCOTT. Mr. Chairman, I desire to offer the following amendment:

The Clerk read as follows:

Strike out "and" on page 13, line 24, and insert on page 14, line 1, after the word "pressmen," the words "and laborers."

Mr. OVERSTREET of Indiana. Mr. Chairman, I reserve the point of order upon that amendment. I do not just understand the force of it.

Mr. OLCOTT. Why, the position of affairs in New York is this: There are a number of laborers that are employed, according to your report. I think you seek an increase of the salary of some of them, and under the wording of that particular paragraph I do not think it would be possible unless we include the word "laborers." I think it is entirely in accord with the amendment of the gentleman from Indiana, increasing the number sought to be affected by this.

Mr. OVERSTREET of Indiana. May I ask the gentleman from New York, would not the adoption of this amendment increase the salaries of the laborers in the New York office from $720 to $800?

Mr. OLCOTT. Undoubtedly it would to some of them.

Mr. OVERSTREET of Indiana. And therefore it would be a change of law. Now, while it may be possible that a number there were entitled to that increase, yet we have made such a general promotion all along the line that while it will operate at various other offices in the promotion of some of these laborers, I think it ought not to be incorporated in the bill in the

form the gentleman has offered it. Let me explain, and the gentleman will see the point. We have sought to make promotions of clerks by fixing the number of the individual employees in the several grades. From the $400 grade up to the $1,200 grade we fixed, in these items which have just been passed, the specific number of employees now employed in those various grades, and to the numbers have added a sufficient additional number to care for the promotions which have been recommended, as well as the employment of the additional force recommended by the Department.

In other words, the committee has reported to the House all of the employees estimated by the Department for the additional service on account of the growth of the postal service, and in addition to the appropriations to cover all those additional employees we have arranged these specific items of appropriation just passed upon so as to permit of the promotions which have been recommended, and that has taken care of those laborers, so far as the recommendations of the Department and of the committee go.

Mr. OLCOTT. Then I would like to ask the gentleman from Indiana whether he means by that that these people will be promoted to the higher grade mentioned in here as pressmen? Will the laborer be promoted to be a pressman?

Mr. OVERSTREET of Indiana. These laborers would be eligible to promotion to a different designation undoubtedly, but we do not employ any laborers in the grade of $800, so your amendment if adopted would be in effect adding laborers to that class which heretofore has been restricted to carpenters, clerks, clerks in charge of stations, and pressmen; but it would not deny promotion to a laborer from the $700 grade into the $800 grade by a change of his designation and a change of his employment.

Mr. OLCOTT. I certainly am not a stickler as to what the man is to be called. I merely want to provide for an opportunity for increased compensation.

Mr. OVERSTREET of Indiana. I think ample provision has been made, and inasmuch as these computations have all been made by the computers of the Department, based upon the recommendations for all the promotions which we carry in the bill, I would rather not disturb the scheme by adding a new designation to one of these particular items.

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

Mr. OVERSTREET of Indiana. Yes.

Mr. PARSONS. Did not the First Assistant Postmaster-General in his report recommend that the highest salary for laborer be $900?

Mr. OVERSTREET of Indiana. I do not now recall.

Mr. PARSONS. My recollection is that that was his recommendation.

Mr. OLCOTT. I am only fearful that if I do not press my amendment there will be some people that the New York postoffice desires to advance who will be left out.

Mr. OVERSTREET of Indiana. I will not interpose a point of order, but I hope the committee will vote down the amendment.

The CHAIRMAN. The question is on the amendment.

Mr. MANN. May I ask the gentleman from New York if he knows what pay laborers get who do the janitor work and work of that sort in the Government buildings in New York?

Mr. OLCOTT. I can not answer that.

Mr. MANN. They are under the Treasury Department and they only get $600 a year. The same laborers, doing the same work under the Post-Office Department, get $700 a year. The gentleman wants to make their pay $800 a year. I hope the gentleman will join with me in attempting to get some pressure to bear on the other distinguished gentleman from New York and get the $600 people raised to $700 before we raise the $700 people to $800.

The CHAIRMAN. The question is on the amendment.

The amendment of Mr. OLCOTT was rejected.

The Clerk read as follows:

Carpenters, clerks, clerks in charge of stations, janitors, laborers, messengers, porters, pressmen, and watchmen, 3,997, at not exceeding $700 each.

The Clerk read as follows:

Page 14 strike out lines 3, 4, 5, and 6 and insert in lieu thereof "carpenters, janitors, laborers, messengers, porters, pressmen, and watchmen, 480, at not to exceed $700 each."

Mr. PARSONS. May I ask the chairman of the committee why that change is made.

Mr. OVERSTREET of Indiana. That is on the recommendation of the First Assistant Postmaster-General, which came in after the bill had been reported. It is in order to make the authorization conform with the practice of the Department in this regard.

Mr. PARSONS. The effect of the amendment is, as I understand it, a reduction from 3,997 to 400?

Mr. OVERSTREET of Indiana. Yes; the number that have been promoted and the others that will come up from below.

Mr. SULLIVAN. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman, the chairman of the committee, to explain. On its face this is a reduction of 2,600 men from the force.

Mr. OVERSTREET of Indiana. They are added above.

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

The Clerk read as follows:

Carpenters, clerks, clerks in charge of stations, janitors, laborers, messengers, porters, pressmen, and watchmen, $4,600, at not exceeding $600 each: *Provided*, That 600 of the additional clerks of this grade shall be immediately available.

Mr. OVERSTREET of Indiana. Mr. Chairman, I move to amend by inserting in line 11, after the word "grade," the following: "and the sum of $120,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 11, after the word "grade," insert "and the sum of $120,000."

Mr. OVERSTREET of Indiana. Mr. Chairman, this provision authorizes the 600 clerks of the $600 grade to be immediately available for employment during the current fiscal year. The amount of money to carry the compensation of those clerks was inadvertently omitted. With this amendment these 600 clerks, with a total pay of $120,000, will be available immediately on the passage of this bill for employment during the remainder of the current fiscal year.

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

Mr. KENNEDY of Nebraska. Mr. Chairman, I move to strike out the last word. I would like to get some information from the chairman of the committee. I ask the chairman whether or not there is any increase in the salaries of the janitors, porters, watchmen, and laborers in the two paragraphs just perfected and in the two following paragraphs?

Mr. OVERSTREET of Indiana. Every employee below $1,100 is provided with an increase, provided he has served at least one year and enjoys a record for efficiency.

Mr. KENNEDY of Nebraska. I will say to the gentleman from Indiana that I have been comparing these paragraphs with the paragraphs in the bill of last year and I find no increase.

Mr. OVERSTREET of Indiana. If the gentleman will realize that when we make promotions it requires some little skill at computation to provide the vacancies at the top into which the lower employees may be advanced, and if in connection with that process of computation he realizes that provision is never made for all promotions to take effect upon the first day of the fiscal year, he will see that the two together operate to provide for the general promotions during the year. And I will say to the gentleman, under the measures now adopted by the House, with the exception of one item which is pending on a point of order, provision is made for the pay for the next fiscal year of every employee now in the service at that specific grade of pay, plus employment and compensation of all the new employees recommended by the Department and necessary on account of the increased service. And in addition to both of these all of the promotions of clerks below $1,200 which have been recommended by the committee and in these several items, let me say, have now been adopted.

We have provided for the promotion of these clerks under the scheme of promotion that has gone out on a point of order, and for the next fiscal year at least these advancements are now provided for.

Mr. KENNEDY of Nebraska. Now, for instance——

Mr. OVERSTREET of Indiana. And permit me to say that these computations upon which I have based this positive statement were made by the computers at the Department, and they assure the committee that these several provisions which I have named are undoubtedly set out in the bill.

Mr. KENNEDY of Nebraska. I wish to say to the gentleman from Indiana that I have no disposition to oppose an increase of these salaries. I wanted to be satisfied that there is a movement to increase the salaries of the laboring men, the janitors and that class of employees, and I hope they will not be overlooked.

Mr. MANN. If the gentleman will pardon me, I have made a computation of this whole bill of the increase. The gentleman will see an increase in the $2,000 grade means an increase all the way down the line, because the promotions go consecutively up.

Mr. KENNEDY of Nebraska. Now, let me ask the gentleman from Illinois. Take, for instance, a laborer who has a place in this paragraph we are coming to shortly at $400. Now, I as-

sume that the only increase he can get is by being promoted into the $500 class. Am I right?

Mr. MANN. That is right.

Mr. KENNEDY of Nebraska. Now, these four paragraphs on page 14 relate chiefly to laborers of the same class as the——

Mr. MANN. The gentleman is mistaken about that.

Mr. KENNEDY of Nebraska. Well, they relate chiefly to laborers.

Mr. MANN. I think they do not relate chiefly to laborers. Permit me to call the gentleman's attention to this. What he is referring to is under items of $400, $500, $600, and $700 grades, and a majority of the $700 positions are clerks. A majority of the $600 positions are clerks. Now, an increase of $800 places allows promotion from the $700 to the $800 place. That permits a promotion from the $600 to the $700 grade. That permits promotion from the $500 to the $600, and from the $400 to the $500, and if you add a thousand to the $800 grade, that would mean a promotion of a thousand in each grade. Now, as a matter of fact, in this bill—and I propose to insert a statement in the RECORD for that purpose——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KENNEDY of Nebraska. I move to strike out the last two words.

Mr. MANN. Now, as a matter of fact, in this bill before you get down to the $600 grade there is provision practically for an increase of every person in the $600 grade to the seven hundred. There is an increase of 50 per cent in the $1,200 grade. There is an increase of several thousand when you get below the thousand-dollar grade, so that practically every clerk and every person in the Post-Office Department holding a position of less than $700 is subject to promotion, as I figure it out.

Mr. KENNEDY of Nebraska. Let me ask the gentleman from Illinois, right there, what is the highest wage paid to a laboring man engaged in either of those classes at this time?

Mr. MANN. The highest wage that is permitted to what is called a "laborer," who is not a skilled artisan, is $700 under the law regardless of the appropriation bill.

Mr. KENNEDY of Nebraska. I wish to ask further, as a matter of fact, in actual practice and experience do these laborers get beyond that? Are they advanced in actual practice into another line of work, for instance, as clerks?

Mr. MANN. When it comes to that, I am informed that they are not.

Mr. KENNEDY of Nebraska. So, then, the highest wage paid to a laboring man of any class would be $700.

Mr. MANN. As laborer; yes.

Mr. KENNEDY of Nebraska. And then it is scaled down to $400.

Mr. MANN. Of course most of the laborers to whom the gentleman referred are laborers who probably do janitor work or such a class of work, and I think when they get to $700 under the bill there is no provision for their increase.

Mr. KENNEDY of Nebraska. And they naturally would not pass from the class of laborers, to which they have belonged, to the class of clerks?

Mr. MANN. My observation has been that they seldom pass from laborers to clerks.

Mr. Chairman, I have made some computations and tables showing a comparison between the pending bill and existing and prior appropriations as to the number of clerks, and also as to the possibility of promotions, etc., which I shall insert in the RECORD for the benefit of the House.

I have made the computations on the pending bill based on the items in the bill as introduced, but I have called the attention of the distinguished chairman of the Post-Office Committee to an apparent difference between the statements in his report and some of the items in the bill, and especially in regard to the number of clerks carried in the bill at a salary of $1,200, and I understand that these differences in the bill are to be corrected, which will add materially to the number of promotions in one or two of the classes and make the number in some cases different from the figures in my table. In the main, however, the table is correct as the bill will probably finally pass the House.

I shall also insert in the RECORD a letter from the Postmaster-General, giving some information in regard to the clerks and carriers at the Chicago post-office, in answer to a resolution which I recently introduced in the House, and which seems to me to show, by the number of post-office employees who have declined appointment or who after being appointed have resigned, the urgent necessity of making such increase in postal salaries as will obtain for and retain in the service of the Government at least a sufficient number of permanent employees to properly transact the postal business.

Table showing comparison of clerks provided for in current law and pending bill.

Salary grades.	Current law.	Pending bill.
$3,200	8	8
$3,000	2	2
$2,700	17	23
$2,600	21	19
$2,500	6	6
$2,400	26	36
$2,200	29	23
$2,100	16	21
$2,000	77	85
$1,800	60	60
$1,700	118	118
$1,600	105	105
$1,500	122	122
$1,400	369	369
$1,300	445	606
$1,200	1,820	2,003
$1,100	1,720	3,603
$1,000	2,735	3,952
$900	3,490	5,372
$800	5,010	4,091
$700	4,565	3,997
$600	3,500	4,600
$500	900	.....
$400	325	.....

Table showing possible promotions in clerical force carried by pending bill compared with current appropriation law.

From $3,000 to $3,200	None.
From $2,700 to $3,000	None.
From $2,600 to $2,700	6
From $2,500 to $2,600	4
From $2,400 to $2,500	4
From $2,200 to $2,400	14
From $2,100 to $2,200	8
From $2,000 to $2,100	13
From $1,800 to $2,000	21
From $1,700 to $1,800	21
From $1,600 to $1,700	21
From $1,500 to $1,600	21
From $1,400 to $1,500	21
From $1,300 to $1,400	21
From $1,200 to $1,300	182
From $1,100 to $1,200	365
From $1,000 to $1,100	2,248
From $900 to $1,000	3,465
From $800 to $900	5,347
From $700 to $800	4,428
From $600 to $700	3,860

Table showing number of post-office clerks in each grade from $400 to $1,400, according to the provisions of the annual post-office appropriation acts for the past six years.

Salary grade.	Number of clerks in grades in each year.					
	1901-2.	1902-3.	1903-4.	1904-5.	1905-6.	1906-7.
$400	100	100	200	500	500	325
$500	1,600	2,120	800	800	800	900
$600	2,800	3,200	4,200	4,611	4,243	4,000
$700	1,000	1,000	2,300	3,308	4,155	4,565
$800	3,900	3,900	4,000	3,596	4,235	5,010
$900	1,900	1,900	2,500	2,700	2,785	3,490
$1,000	1,500	2,100	2,300	2,625	2,744	2,735
$1,100	700	1,100	1,500	1,612	1,670	1,720
$1,200	800	1,400	1,400	1,637	1,735	1,820
$1,300	225	300	400	445	445	445
$1,400	200	250	350	369	369	369
Number of clerks between $400 and $1,400	14,725	17,370	19,950	22,203	23,681	25,379
Number of clerks below $400	1,500	1,900	1,600	3,100	2,600	2,900
Number of clerks over $1,400	526	617	626	607	607	607
Total number of clerks in all grades from $400 up	16,751	19,887	22,176	25,410	26,988	28,986
Total appropriations for clerk hire	$13,051,648	$15,715,024	$18,124,730	$19,995,700	$21,000,000	$22,600,070
Increase in amount of appropriation over preceding year	$1,325,734	$2,663,375	$2,409,706	$1,870,969	$1,005,300	$1,600,000
Percentage of increase in yearly appropriations	11.31	20.41	15.26	10.32	5.32	7.79

Out of a total of 25,379 clerks receiving salaries up to and including $1,400 per annum, 18,290 receive $900 per annum and less.

In the last three years there have been no increases in the $1,300 and $1,400 grades.

The $1,200 grade has only been increased by 183 clerks in three years.

The $1,100 grade has only been increased by 108 clerks in three years.

The $1,000 grade has only been increased by 110 clerks in three years.

It is estimated that under operation of existing conditions a clerk is compelled to serve from eight to nine years before reaching the grade of $900 per annum.

Statistics of the Post-Office Department show that 12 per cent of the post-office clerks receiving $1,000 per annum and less resigned from the service during the last fiscal year ending July 1, 1906.

According to the number of resignations of post-office clerks for the month of October last, the percentage for the present fiscal year will be 21 per cent.

Statistics of the Post-Office Department show that the post-office clerks employed in first and second class post-offices worked a daily average of eight hours and forty-three minutes.

The post-office appropriation bill of last year provided for the possible promotion of 50 per cent of the $600 clerks, which meant that only 2,121 of this lowest grade could be promoted.

Forty per cent of the $700 grade were promoted, which meant only 1,662 out of a total of 4,155 clerks.

Twenty per cent of the $800 grade were promoted, which meant only 847 clerks out of a total of 4,235 in that grade.

Five per cent of the $900 grade were promoted, which meant only 139 clerks out of 2,785.

Five per cent of the $1,000 grade, which meant only 137 clerks out of 2,744.

Five per cent of the $1,100 grade, which meant only 85 clerks out of 1,670.

No promotions above this were provided for.

Table showing annual post-office appropriations for post-office clerks.

Year.	Amount.	Increase over former year.	Per cent of increase.
1895–96	$10,100,000	$400,000	4.12
1896–97	10,400,000	300,000	2.97
1897–98	10,600,000	200,000	1.92
1898–99	11,108,100	508,100	4.79
1899–1900	11,518,862	410,762	3.70
1900–1901	11,725,914	207,051	1.80
1901–2	13,051,648	1,325,734	11.31
1902–3	15,715,024	2,663,375	20.41
1903–4	18,124,730	2,409,706	15.26
1904–5	19,995,700	1,870,969	10.32
1905–6	21,000,000	1,005,300	5.32
1906–7	22,600,000	1,600,000	7.79

POST-OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., January 14, 1907.

SIR: In response to the resolution adopted by the House of Representatives under date of January 9, 1907, "to report at the earliest practicable moment the number of clerks and carriers in the Chicago post-office who resigned, the number who were dismissed, the number who were appointed, both regularly and temporarily, the number who declined appointment after being on the eligible list, the number of substitute clerks, and the total amount paid to substitute clerks, by months, all for the fiscal year ended June 30, 1906," I have the honor to report as follows:

	Clerks.	Carriers.
Resigned	520	68
Dismissed	100	9
Died	17	18
Appointed	1,553	312
Declined appointment	112	29
Substitute clerks	2,808	.....

Amount paid substitute clerks, by months.

Month.	Number of clerks.	Amount paid.
1905.		
July	151	$3,953.21
August	200	6,438.96
September	211	6,596.82
October	195	5,556.78
November	268	7,731.88
December	276	7,983.78
1906.		
January	242	6,966.25
February	220	6,342.21
March	276	8,301.77
April	300	9,531.95
May	276	7,793.93
June	191	6,731.30
Total	.....	83,928.84

Respectfully, GEO. B. CORTELYOU,
Postmaster-General.

Mr. KENNEDY of Nebraska. I wish to say, Mr. Chairman, that I hope the committee and the House will not overlook the laborers. These men who come along at the end of the line are apt to be overlooked. And I want, while I am on my feet, to say one thing more. I regret, of course, as most of us do, that the provisions for the increase of salaries for the clerks and carriers have gone out, and my judgment is that the rules which permit putting paragraphs of that character out on a point of order are wrong and ought to be changed. It should be for the committee having the bill in charge and for the Committee of the Whole House to say what the employees of the Government shall be paid.

To sit here and say we can not increase the salaries of the employees of the Government, one year over another, is to state an absurdity in the practice and proceedings of this House. The only objection I have to the stricken paragraphs lies in the fact that, in my judgment, the carriers have been done an injustice in that for certain years their salaries have been decreased instead of increased. I hope when the rule comes in, if it does, that we will be able not only to give to the clerks and the carriers an increase over present salaries, but that we will be able to prevent a decrease for any employee of the Government in any of the classes designated.

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

Mr. MANN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MANN. Mr. Chairman, I made some remarks this afternoon, and I wish to insert in connection therewith some statements in the RECORD.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to extend his remarks in the RECORD. There was no objection.

Mr. CLARK of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. How long are we going to run here?

Mr. OVERSTREET of Indiana. I will be glad to state that I wanted to close with the second line on page 15. We are now at line 12 on page 14. That will close this particular subject.

Mr. SHERLEY rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SHERLEY. To ask the chairman of the committee a certain question.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word.

Mr. SHERLEY. As I understand, the increase of salary is made by promoting men from one grade to a higher grade. Does that carry with it a change of duties, or are these men simply performing their old duties under a new classification?

Mr. OVERSTREET of Indiana. I understand in a very great many, almost all, the cases it involves a change of duty and change of responsibility. It is all service of a similar character. Of course, when you promote a clerk in the office who is drawing $600 per year to the $700 grade, that is not necessarily a change of actual work.

But the additional $100 is given because he is worth that much more after a year's service, and renders that much more service to the Government. But, after you get up to thousand-dollar clerks, they are doing a more intricate work. At twelve hundred dollars you will find distributing clerks who are obliged to have a high degree of intelligence in the distribution of the mail, necessitating a knowledge of schedules of trains and times of their departure, connections, and all of that; so that there is a great difference in the character of the work of the $1,200 clerk and the $600 clerk, and I assume there is some gradual advance in the duty as well as pay.

Mr. SHERLEY. One more question: If you increase the compensation simply by changing the employment from a lower grade to a higher grade, how have you provided for the increase of the men at the top grade?

Mr. OVERSTREET of Indiana. By adding a certain number arbitrarily to that top grade and advancing from the next lower into that number.

Mr. SHERLEY. What do you do with those who have no other grade to be elevated to?

Mr. OVERSTREET of Indiana. By grades we mean the grades of compensation.

Mr. SHERLEY. I understand that. Now, you take the highest grade of compensation, how are the salaries of such men increased? Is that done by direct increase in salary or have you created a new grade?

Mr. OVERSTREET of Indiana. Take, for example, the thirteen-hundred dollar grade of employees. They are all designated "employees." They are not clerks. Now, we provide in

the current law for 445 employees at the grade of $1,300. This bill carries 606. So that the difference between 606 and 445 will give the correct number to be advanced from $1,200 to $1,300.

Mr. SHERLEY. Now, what do you do with the $1,300 men? Do they get into a higher class? And when they get to the higher, what do you do then with them?

Mr. OVERSTREET of Indiana. They get into the higher grade of $1,400. We make no change in the $1,400 grade. In the current law there are 369; this bill carries 369. Therefore you can not promote from $1,300 into the $1,400 except when there are vacancies there.

Mr. MANN. You carried them in the old law, but there are increases.

Mr. OVERSTREET of Indiana. You provide certain increase above $1,300 which would make leeway through the $1,300 into these higher grades.

Mr. SHERLEY. But what do you do with the higher grades?

Mr. OVERSTREET of Indiana. That takes a process of computation. Here is a table, which I hold in my hand, beginning with the highest pay in the employ of the service, $3,200. There are eight of them.

Mr. SULLIVAN. What are the duties of that grade?

Mr. MANN. Superintendent of delivery and superintendent of mails.

Mr. OVERSTREET of Indiana. That is the item which is temporarily passed by. The superintendent of delivery and the superintendent of mails, $3,200. No, that is the $2,700 class. The $3,200 is the superintendent of delivery, and I will be glad, Mr. Chairman, if the gentleman from Kentucky will attend to my suggestion, if he really wants to know.

Mr. SHERLEY. I beg the gentleman's pardon. I was attending, but another gentleman gave me in one sentence the whole thing I wanted to get at.

Mr. OVERSTREET of Indiana. Is the gentleman satisfied?

Mr. SHERLEY. And that is that the highest grades were not increased at all.

Mr. OVERSTREET of Indiana. Oh, no.

Mr. SHERLEY. If the gentleman had stated that, that would have ended the discussion.

Mr. OVERSTREET of Indiana. I stated that the tables showed it.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Clerks in charge of stations, janitors, laborers, messengers, porters, and watchmen, fifty, at not exceeding $400 each.

Mr. MANN. I move to strike out the last word. Last year I was not here when the post-office bill was passed, but the year before that I asked the distinguished gentleman in charge of the bill in reference to substations. A reduction was made, a decided reduction was made, in the committee, I think, of the three and four hundred dollar substations, last year. Now, I do not know exactly what is the gentleman's intention. In the large cities it is absolutely necessary to have these substations, or, as the gentleman calls them here, part of them stations and part of them contract stations.

The Post-Office Department made a rule in reference to the pay of these stations, and after making the rule they have consistently declined to maintain the rule when it came to the performance of their part of it in the payment of the salary; and last year, in some cases, instead of making the increases where they had promised increases, they made a reduction, although the business had vastly increased. It is impossible in some parts of the city of Chicago, in the territory which I represent, to obtain this service, which if performed in the rural district would have a postmaster who would draw a salary of $2,000 a year; and it seems to me, in the interests of the Post-Office Department, that it is advisable to permit the sale of stamps where it is convenient to the people. We passed a bill here the other day to do away with the special-delivery stamps because the distinguished gentleman from Missouri received a letter from a man who stated that he could not buy a special-delivery stamp offhand.

Now, if it is so advisable to add to the opportunity to use special-delivery letters, is it not equally advisable to add to the opportunity to use ordinary stamps? There are many places in Chicago where it is not convenient to the people to buy a postage stamp without going a long distance, and when they send in petitions and applications for the establishment of those little $100, $200, and $300 contract stations they are told that the appropriation was not sufficient. I have a dozen cases of that sort in my district now, where the population would warrant a considerable salary if it were out of the city. I can not see what the intention is this year. But I know that last year the number was insufficient and that the year before last it was insufficient. I do not know what the increase is this year, but it ought to be the policy of the Post-Office Department to provide for these stamp agencies.

They continue to refuse to establish the stations because they are required to sell money orders and registered letters and all that sort of thing. The people ought to have an opportunity to purchase stamps with the least possible inconvenience, when every 2-cent stamp sold is worth to the Government a profit of more than 1 cent, and they ought to give the people an opportunity to buy them.

The CHAIRMAN. The pro forma amendment will be withdrawn.

Mr. MANN. I hoped I would have gotten some information.

Mr. OVERSTREET of Indiana. The gentleman did not ask for information.

Mr. STAFFORD. Mr. Chairman, I should be glad to give the information.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. STAFFORD. To furnish the information called for by the gentleman from Illinois, and for that purpose I move to strike out the last two words. In justification of the committee for its action last year I wish to say that the committee desired to include in separate items the clerks in charge of contract stations and asked the Post-Office Department to furnish an estimate of the number of clerks in charge of those contract stations employed in the grades above and below $300, and acting upon the statement from the Post-Office Department the committee granted the estimate for those respective offices.

It subsequently appeared, after the passage of the bill, and it is no fault of the committee whatever, because it has not been intentionally niggardly in providing for these positions, which the committee believes, with the gentleman from Chicago, have performed a most useful service to the people at a minimum charge, that the Department furnished us an erroneous statement, and that it was made through mistake.

Mr. HARDWICK. I would like to ask the gentleman this question: Have you given them this year all the amount called for in the estimates?

Mr. STAFFORD. We have given them all the Department has asked for.

Mr. HARDWICK. Are you satisfied that the Department asks for enough?

Mr. STAFFORD. It is now getting late, and I think if the gentleman will wait until I complete my answer he may find that I will cover his query.

Mr. HARDWICK. Then the gentleman declines to yield?

Mr. STAFFORD. Until I finish this statement. In the item for clerks in charge of stations above the grade of $300, $211,200 is the annual rate of expenditure of those now employed. The committee in the appropriation for that service recommends $235,000, or an increase of nearly $25,000. Below the grade of $300 there are men in the service employed at total salaries of $457,000, and we make provision for $515,000, or a total increase of $125,000, which is all that the Department estimates. Now I will yield to the gentleman.

Mr. HARDWICK. If the gentleman thinks this service is so beneficent and that it is being administered in a niggardly manner, why does not the committee give more than the Department asks for?

Mr. STAFFORD. As I have tried to explain to the gentleman, the fact which he refers to of last year's appropriation was due to an erroneous estimate of the Post-Office Department. We made liberal appropriations then, as we supposed, relying upon that information; but it afterwards appeared that the Department had made a mistake. This year we make the full appropriation requested by the Department.

Mr. HARDWICK. The gentlemen think, then, that the present appropriation is amply sufficient as carried in this bill?

Mr. STAFFORD. Amply sufficient, and we have given the full estimate of the Department.

Mr. SULLIVAN. Do you think the estimate is correct?

Mr. STAFFORD. As nearly as we can determine.

Mr. HARDWICK. I move to strike out the last word.

I agree thoroughly with what my friend from Illinois has said on this subject. This substation service is one of the most beneficent branches of the service, and I want to say that I have had an immense amount of trouble in the largest city in my district, and one of the largest in Georgia, on this very question. The First Assistant Postmaster-General claims that the allowance made by this committee and by this House for the last fiscal year was absolutely insufficient to carry on this service.

I know that a very large substation in the city of Augusta,

Ga., one of the largest substations in the South, that does a very large business, was very well run with an allowance of about $600 per annum, I think. It was moved two or three doors from the place of its original location, and because it was moved the First Assistant Postmaster-General reduced the compensation under the contract from about $600 to $100, and when a showing was made to him that the revenues from that substation and the amount of business handled by it were actually increasing instead of decreasing after the removal he said he was still helpless, because he did not have the money and could not get it. He has now assured me that if the Post-Office Committee will give him the amount that he asks for in his estimates he will be able to give the people in my district and in that city the service to which they are entitled.

I am glad to get the information from the gentleman that the committee have recommended this appropriation, because I know that in the larger cities, particularly, it is one of the most important and useful branches of the Post-Office Service.

Mr. MANN. I move to strike out the word "thirty-five" in line 20.

The CHAIRMAN. The gentleman may speak in opposition to the pending amendment.

Mr. MANN. The pending amendment is a pro forma one, and I propose to speak on a real amendment.

The CHAIRMAN. The Clerk has not yet read that paragraph.

The Clerk read as follows:

Clerks in charge of contract stations, at a rate of compensation above $300 each, and not to exceed $1,000 each, $235,000.

Mr. MANN. Now, Mr. Chairman, I move to strike out the word "thirty-five," in line 20, and to insert the word "fifty", in place thereof, so that the appropriation for clerks in charge of contract stations will be $250,000 instead of $235,000. I am not disposed, Mr. Chairman, to criticise the committee——

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Illinois.

The Clerk read as follows:

Strike out "thirty-five" in line 20 and insert "fifty."

Mr. MANN. Mr. Chairman, I am not disposed to criticise the committee for its action even if they opposed this amendment. The truth is whether what the committee has reported is what the Post-Office Department has recommended does not matter. If the Post-Office Department has so recommended, they have recommended an error. We depend on the substations in the large cities. There is no other way they can do the post-office business in the large cities. Gentlemen will remember that where there is a substation at a cost of one, three, or four hundred dollars a year doing a business of $10,000 a year perhaps, if it were in the country it would cost the Government 40 per cent of the receipts, whereas in this case it is not over 4 per cent.

Now, the Post-Office Department made a rule with reference to these promotions based on the amount of business that was transacted, and when on the 1st of July last a number of these stations reported, as of course they report all the time, the amount of business, and that was figured out by the Auditor to determine the amount of business, when it was known that the amount of business had actually increased, instead of being promoted from $400 to $500 they were demoted from $400 to $300 a year.

I do not care whether the Post-Office Department recommended it or not. Ever since I have been in the House I have been fighting the opposition of the First Assistant Postmaster-General and endeavoring to instruct them in reference to this matter. There isn't anybody there who knows anything about these stations; they do not come in contact with them; they are under the control of the postmasters and auditors, and I haven't seen anybody, from Mr. Waters down in his office, who had any conception of the work or the necessity of these substations in the large cities.

Mr. FINLEY. I would like to ask the gentleman what progress he has made in instructing the First Assistant Postmaster-General's office?

Mr. MANN. I have made considerable progress. The number of stations has been increased.

Mr. HARDWICK. Does not the gentleman think that there is room for improvement?

Mr. MANN. It is for the benefit of the Government to do this. If we could deal with the First Assistant Postmaster-General's office alone we could get a great deal better satisfaction than we do now; but the other offices insist that these men shall sell money orders, and you can not get a drug store to sell money orders, register letters, and sell stamps, and keep one person hired for that purpose at a cost of $800 a year and do it for $300 a year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OVERSTREET of Indiana. I want to say that we have increased the appropriations between $50,000 and $100,000 for this very service, and I hope the amendment will be disagreed to.

Mr. MANN. If the gentleman's statement was absolutely correct, I would say nothing, but what they have increased in this item is $10,000 over that of last year.

Mr. OVERSTREET of Indiana. Mr. Chairman, I have the floor.

Mr. MANN. I understood the gentleman had yielded the floor.

Mr. OVERSTREET of Indiana. No; I have not.

Mr. MANN. The Chairman was about to put the question when I took the floor.

The CHAIRMAN. The time of the gentleman from Illinois had expired and the gentleman from Indiana had yielded the floor, as the Chair understood.

Mr. OVERSTREET of Indiana. Mr. Chairman, in the two paragraphs, this one and the one immediately following, provision is made over existing authorizations of $50,000 for this character of work. All of the appropriations for the current year have not been used in either one of these items. The purpose of the provision is to provide for the innumerable small stations throughout the various cities, at a fair compensation. There may be an instance where some individual may think he ought to have more money, but there is always a drug store or some other store perfectly willing to have the station located in its room. There is no trouble about it. We have had no difficulty in the past in the administration of it, and the gentleman from Illinois is the only Member I have known to interpose a criticism.

Mr. HARDWICK. I want to add my criticism to that of the gentleman.

Mr. OVERSTREET of Indiana. Then there are two?

Mr. HARDWICK. I know this from my experience.

Mr. MANN. I presume there has been no trouble in the gentleman's city, but if he would come to my city he would see the trouble.

Mr. FINLEY. I would ask the chairman if the Department has found any trouble in providing for the taking charge of these stations?

Mr. OVERSTREET of Indiana. I do not understand so.

Mr. FINLEY. My understanding is they have not.

Mr. MANN. The trouble is in getting the stations and——

Mr. SULLIVAN. Mr. Chairman, I move to strike out the last word. I wish to say, for the information of the gentleman from Indiana, that in the Back Bay section of the city of Boston, which is an important section, there has been for a long time a demand for extra stations of this character, and the postmaster of Boston has been unable to grant these demands because of a lack of the necessary funds. There is another instance to which I wish to call the gentleman's attention.

Mr. OVERSTREET of Indiana. I only know what the Department recommends.

The CHAIRMAN. The question is on the amendment.

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MANN. Division.

The committee divided; and there were—ayes 19, noes 22.

So the amendment was rejected.

The Clerk read as follows:

Clerks in charge of contract stations, at a rate of compensation not to exceed $300 each, $515,000.

Mr. GOEBEL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 14, line 24, after the word "dollars," insert the following:
"*Provided*, That in addition to the foregoing allowance and compensation of clerks and employees at first and second class post-offices there be allowed and paid to each a sum which, together with the allowance herein made, would equal 20 per cent upon the salary now fixed by law."

Mr. OVERSTREET of Indiana. Mr. Chairman, I reserve the point of order on that, and I would suggest to the gentleman from Ohio if he will withdraw his amendment and let me close up the first few lines on the next page then he can offer his amendment, and I will reserve the point of order and let it stand until to-morrow morning and be considered as pending.

Mr. GOEBEL. Very well.

The CHAIRMAN. The gentleman withdraws his amendment temporarily.

The Clerk read as follows:

In all, $26,090,200.

Mr. OVERSTREET of Indiana. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 1, strike out $26,000,200 and insert $26,390,200.

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

Mr. GOEBEL. Now, Mr. Chairman, I offer my amendment.

The CHAIRMAN. The gentleman from Ohio renews his amendment.

Mr. OVERSTREET of Indiana. And I reserve the point of order upon it.

The CHAIRMAN. And the gentleman from Indiana reserves the point of order upon it.

Mr. OVERSTREET of Indiana. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 25483, the post-office appropriation bill, and had directed him to report that it had come to no resolution thereon.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY, by direction of the Committee on Appropriations, reported the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, which was read the first and second times, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. CLARK of Missouri. Mr. Speaker, I reserve all points of order upon the bill.

The SPEAKER. The gentleman from Missouri reserves all points of order upon the bill.

ALLOTMENT AND DISTRIBUTION OF INDIAN TRIBAL FUNDS.

Mr. SHERMAN. Mr. Speaker, I call from the Speaker's table the bill H. R. 5290 and ask unanimous consent to disagree to the Senate amendments and ask for a conference thereon.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the following bill, disagree with the Senate amendments thereto, and ask a conference. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 5290) entitled "An act providing for the allotment and distribution of Indian tribal funds.

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

The SPEAKER announced the following conferees.

The Clerk read as follows:

Mr. LACEY, Mr. BURKE of South Dakota, and Mr. ZENOR.

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. 7283. An act granting an increase of pension to William T. Cooper—to the Committee on Invalid Pensions.

S. 7993. An act granting an increase of pension to George E. Purdy—to the Committee on Invalid Pensions.

S. 8314. An act granting an increase of pension to James P. Worrell—to the Committee on Invalid Pensions.

S. 8508. An act granting an increase of pension to Miranda W. Howard—to the Committee on Invalid Pensions.

S. Res. 92. Joint resolution to authorize the Secretary of War to permit José March Duplat to receive instruction at the Military Academy at West Point—to the Committee on Military Affairs.

S. 1217. An act for the relief of the estate of Henry Ware, deceased—to the Committee on War Claims.

S. 8400. An act to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904—to the Committee on Interstate and Foreign Commerce.

S. 8511. An act granting a pension to George L. Dancy—to the Committee on Pensions.

S. 7903. An act granting an increase of pension to Catherine De Rosset Meares—to the Committee on Pensions.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1726. An act making provisions for conveying in fee the piece or strip of ground in St. Augustine, Fla., known as "The Lines," for school purposes, to the board of public instruction of St. John County, Fla.

S. 4403. An act to regulate the immigration of aliens into the United States.

S. 7793. An act to fix the time of holding the circuit and district courts of the United States in and for the northern district of Iowa.

S. 7879. An act granting to the Los Angeles Interurban Railway Company a right of way for railroad purposes through the United States military reservation at San Pedro, Cal;

S. 6364. An act to incorporate the National Child Labor Committee;

S. 8283. An act to extend the time for the completion of the Valdez, Marshall Pass and Northern Railroad, and for other purposes;

S. 8362. An act to authorize the city council of Salt Lake City, Utah, to construct and maintain a boulevard through the military reservation of Fort Douglas, Utah;

S. 8274. An act to amend an act to authorize the construction of two bridges across the Cumberland River at or near Nashville, Tenn.; and

S. 7372. An act to authorize the acceptance by the Secretary of the Navy, as a gift, of a sailboat for use of the midshipmen at the Naval Academy.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 21579. An act granting an increase of pension to Sarah R. Harrington;

H. R. 17875. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of W. W. Peirce;

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. 18924. An act for the relief of George M. Esterly;

H. R. 24821. An act to authorize the Georgia Southwestern and Gulf Railroad Company to construct a bridge across the Chattahoochee River between the States of Alabama and Georgia;

H. R. 24989. An act to provide for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma;

H. R. 14361. An act granting an honorable discharge to David Harrington;

H. R. 25366. An act to authorize the New Orleans and Great Northern Railroad Company to construct a bridge across Pearl River, in the State of Mississippi; and

H. R. 25046. An act to authorize the construction of a bridge across the Mississippi River at Louisiana, Mo.

SAC AND FOX INDIANS.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered to be printed, and referred to the Committee on Indian Affairs:

To the Senate and House of Representatives:

At the last session I found myself unable to sign House bill No. 10133, in reference to certain disputed rights between the Iowa and Oklahoma bands of the Sac and Fox Indians. After careful investigation of the subject, and on the advice of the Commissioner of Indian Affairs, I recommend that a measure be passed by the Congress turning over the whole controversy just as it stands to the Court of Claims, with full power to determine the legal and equitable rights involved and to render judgment.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *February 19, 1907.*

LEAVE OF ABSENCE.

Mr. BRUMM, by unanimous consent, was granted leave of absence until Friday, February 22, on account of important business.

ADJOURNMENT.

Mr. OVERSTREET of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 6 o'clock and 26 minutes p. m.) the House adjourned until Wednesday, February 20, 1907, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

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

A letter from the Secretary of Commerce and Labor, transmitting, in response to the inquiry of the House, a statement as to the introduction of foreign laborers by the State of South

Carolina and an opinion of the Solicitor of the Department—to the Committee on Immigration and Naturalization, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the president of the Board of Commissioners of the District of Columbia submitting an estimate of appropriation for the fire department of the District of Columbia—to the Committee on Appropriations, and ordered to be printed.

A statement from the superintendent of the Washington, Alexandria and Mount Vernon Railway, transmitting the report of the company for the year ending December 31, 1906—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LOUD, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. J. Res. 239) to authorize the appointment of a board to investigate the administration of the navy-yards, reported the same without amendment, accompanied by a report (No. 8019); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOORE of Texas, from the Committee on Immigration and Naturalization, to which was referred the bill of the Senate (S. 8327) to provide for the establishment of an immigration station at Galveston, in the State of Texas, and the erection in said city, on a site to be selected for said station, of a public building, reported the same with amendment, accompanied by a report (No. 8026); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill S. 8182, reported in lieu thereof a bill (H. R. 25742) to authorize the Twin City Power Company to construct two dams across the Savannah River above the city of Augusta, Ga.; which said bill and report (No. 8025) were referred to the House Calendar.

Mr. ELLERBE, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 25719) to provide for the establishment of an immigration station at Charleston, in the State of South Carolina, and the erection in said city, on a site to be selected for said station, of a public building, reported the same with amendment, accompanied by a report (No. 8028); which said bill and report were refered to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 8377) 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, reported the same without amendment, accompanied by a report (No. 8016); which said bill and report were referred to the House Calendar.

Mr. RYAN, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution of the House (H. Res. 831) requesting information from the Secretary of Commerce and Labor relative to whether any railroad company owns any of the steamship lines engaged in the coastwise trade, reported the same with amendment, accompanied by a report (No. 8017); which said resolution and report were referred to the House Calendar.

Mr. LOUD, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. J. Res. 238) authorizing the Secretary of the Navy to investigate cost of manufacture in the navy-yards as compared with cost of purchase elsewhere, reported the same without amendment, accompanied by a report (No. 8018); which said joint resolution and report were referred to the House Calendar.

Mr. TOWNSEND, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution of the House (H. J. Res. 246) authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington, reported the same without amendment, accompanied by a report (No. 8020); which said joint resolution and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25541) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, reported the same with amendment, accompanied by a report (No. 8021); which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25574) to authorize the location of the light and fog-signal station heretofore provided for at the south end of the proposed extension of the breakwater, harbor of refuge, Milwaukee, Wis., reported the same without amendment, accompanied by a report (No. 8022); which said bill and report were referred to the House Calendar.

Mr. BURKE of South Dakota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25672) to amend an act entitled "An act to authorize the Ox Bow Company of South Dakota to construct a dam across the Missouri River," reported the same with amendment, accompanied by a report (No. 8023); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25691) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Company, reported the same with amendment, accompanied by a report (No. 8024); which said bill and report were referred to the House Calendar.

Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 25742) to authorize the Twin City Power Company to construct two dams across the Savannah River above the city of Augusta, Ga., reported the same with amendment, accompanied by a report (No. 8025); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 990) granting an increase of pension to Relf Bledsoe, reported the same without amendment, accompanied by a report (No. 7650); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1896) granting a pension to Smith Bledsoe, reported the same without amendment, accompanied by a report (No. 7651); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1980) granting an increase of pension to Mary O. Foster, reported the same without amendment, accompanied by a report (No. 7652); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2109) granting an increase of pension to Elisha T. Arnold, reported the same without amendment, accompanied by a report (No. 7653); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3432) granting an increase of pension to Samuel Ellis, reported the same without amendment, accompanied by a report (No. 7654); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4028) granting an increase of pension to Ann H. Barnes, reported the same without amendment, accompanied by a report (No. 7655); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4762) granting a pension to Mary A. Brady, reported the same without amendment, accompanied by a report (No. 7656); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6177) granting an increase of pension to Louisa Anne Morton, reported the same without amendment, accompanied by a report (No. 7657); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6726) granting an increase of pension to

Mary A. Jackson, reported the same without amendment, accompanied by a report (No. 7658); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7244) granting an increase of pension to Bessie Sharp Pettit, reported the same without amendment, accompanied by a report (No. 7659); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7696) granting an increase of pension to Zadok K. Judd, reported the same without amendment, accompanied by a report (No. 7660); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7722) granting an increase of pension to Henderson Stanley, reported the same without amendment, accompanied by a report (No. 7661); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7803) granting an increase of pension to William H. Long, reported the same without amendment, accompanied by a report (No. 7662); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7912) granting an increase of pension to Eleanor P. Bigler, reported the same without amendment, accompanied by a report (No. 7663); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8144) granting an increase of pension to Elizabeth A. Bonner, reported the same without amendment, accompanied by a report (No. 7664); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8147) granting an increase of pension to Ann E. Macy, reported the same without amendment, accompanied by a report (No. 7665); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8197) granting an increase of pension to Arabella J. Farrell, reported the same without amendment, accompanied by a report (No. 7666); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8212) granting a pension to Azelia Mittag, reported the same without amendment, accompanied by a report (No. 7667); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8214) granting a pension to Jeremiah Bowman, reported the same without amendment, accompanied by a report (No. 7668); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8225) granting an increase of pension to Elizabeth P. Hargrave, reported the same without amendment, accompanied by a report (No. 7669); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8237) granting an increase of pension to Lydia Irvine, reported the same without amendment, accompanied by a report (No. 7670); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8263) granting an increase of pension to Martha L. Bohannan, reported the same without amendment, accompanied by a report (No. 7671); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8456) granting an increase of pension to Margaret Baber, reported the same without amendment, accompanied by a report (No. 7672); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8485) granting an increase of pension to Ann Hudson, reported the same without amendment, accompanied by a report (No. 7673); 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 Senate (S. 7) granting an increase of pension to Edwin B. Lufkin, reported the same without amendment, accompanied by a report (No. 7674); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 12) granting an increase of pension to Nancy Littlefield, reported the same without amendment, accompanied by a report (No. 7675); 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 Senate (S. 161) granting an increase of pension to Ruth E. Rogers, reported the same without amendment, accompanied by a report (No. 7676); 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 Senate (S. 177) granting an increase of pension to Alvah D. Wilson, reported the same without amendment, accompanied by a report (No. 7677); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 435) granting an increase of pension to Luther H. Canfield, reported the same without amendment, accompanied by a report (No. 7678); 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 Senate (S. 463) granting an increase of pension to Justin C. Kennedy, reported the same without amendment, accompanied by a report (No. 7679); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 496) granting an increase of pension to Lewis Young, reported the same without amendment, accompanied by a report (No. 7680); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 570) granting an increase of pension to John W. Crane, reported the same without amendment, accompanied by a report (No. 7681); 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 Senate (S. 588) granting an increase of pension to Priscilla L. Hamill, reported the same without amendment, accompanied by a report (No. 7682); 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 Senate (S. 883) granting an increase of pension to Thomas A. Willson, reported the same without amendment, accompanied by a report (No. 7683); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 913) granting an increase of pension to Charles E. Foster, reported the same without amendment, accompanied by a report (No. 7684); 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 Senate (S. 1136) granting an increase of pension to Warren W. Whipple, reported the same without amendment, accompanied by a report (No. 7685); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1261) granting an increase of pension to Edwin P. Richardson, reported the same without amendment, accompanied by a report (No. 7686); 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 Senate (S. 1299) granting an increase of pension to Ludwig Schultz, reported the same without amendment, accompanied by a report (No. 7687); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1350) granting an increase of pension to Michael Cullen, reported the same without amendment, accompanied by a report (No. 7688); 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 Senate (S. 1515) granting an increase of pension to Elizabeth Strong, reported the same without amendment, accompanied by a report (No. 7689); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1520) granting an increase of pension to Laura M. Freeman, reported the same without amendment, accompanied by a report (No. 7690); 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 Senate (S. 1526) granting an increase of pension to Theodore W. Gates, reported the same without amendment, accompanied by a report (No. 7691); 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 Senate (S. 1622) granting a pension to Jane Agnew, reported the same without amendment, accompanied by a report (No. 7692); 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 Senate (S. 1935) granting an increase of pension to Charles Church, reported the same without amendment, accompanied by a report (No. 7693); 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 Senate (S. 2011) granting an increase of pension to Lucinda L. McCorkle, reported the same with amendment, accompanied by a report (No. 7694); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2083) granting an increase of pension to Asa K. Harbert, reported the same without amendment, accompanied by a report (No. 7695); 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 Senate (S. 2181) granting an increase of pension to Mary G. Potter, reported the same without amendment, accompanied by a report (No. 7696); 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 Senate (S. 2285) granting an increase of pension to William W. Herrick, reported the same without amendment, accompanied by a report (No. 7697); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2315) granting an increase of pension to William T. Graffan, alias William Rivers, reported the same without amendment, accompanied by a report (No. 7698); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to whom was referred the bill of the Senaate (S. 2336) granting an increase of pension to Annie E. Smith, reported the same without amendment, accompanied by a report (No. 7699); 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 Senate (S. 2387) granting an increase of pension to Harvey Smith, reported the same without amendment, accompanied by a report (No. 7700); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2394) granting an increase of pension to John A. J. Taylor, reported the same without amendment, accompanied by a report (No. 7701); 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 Senate (S. 2502) granting an increase of pension to Stephen M. Fitzwater, reported the same without amendment, accompanied by a report (No. 7702); 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 Senate (S. 2729) granting an increase of pension to Robert J. Henry, reported the same without amendment, accompanied by a report (No. 7703); 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 Senate (S. 2743) granting an increase of pension to Daniel B. Morehead, reported the same without amendment, accompanied by a report (No. 7704); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2748) granting an increase of pension to Joel R. Smith, reported the same without amendment, accompanied by a report (No. 7705); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2792) granting an increase of pension to John W. Ogan, reported the same without amendment, accompanied by a report (No. 7706); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2954) granting an increase of pension to Hannah Welch, reported the same without amendment, accompanied by a report (No. 7707); 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 Senate (S. 2971) granting an increase of pension to Henry O. Bennum, reported the same without amendment, accompanied by a report (No. 7708); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3197) granting an increase of pension to Hiram Focht, reported the same without amendment, accompanied by a report (No. 7709); 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 Senate (S. 3266) granting an increase of pension to William P. McKeever, reported the same without amendment, accompanied by a report (No. 7710); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3267) granting an increase of pension to George C. Veile, reported the same without amendment, accompanied by a report (No. 7711); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3268) granting an increase of pension to Jacob A. Ward, reported the same without amendment, accompanied by a report (No. 7712); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3275) granting an increase of pension to Thomas J. Harrison, reported the same without amendment, accompanied by a report (No. 7713); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3434) granting an increase of pension to Charles M. Canfield, reported the same without amendment, accompanied by a report (No. 7714); 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 Senate (S. 3435) granting an increase of pension to Rowland Saunders, reported the same without amendment, accompanied by a report (No. 7715); 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 Senate (S. 3446) granting an increase of pension to Anna M. Woodbury, reported the same without amendment, accompanied by a report (No. 7716); 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 Senate (S. 3495) granting a pension to Joseph H. Boucher, reported the same without amendment, accompanied by a report (No. 7717); 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 Senate (S. 3527) granting an increase of pension to Samuel S. Watson, reported the same without amendment, accompanied by a report (No. 7718); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3552) granting an increase of pension to Joseph P. Wilcox, reported the same without amendment, accompanied by a report (No. 7719); 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 Senate (S. 3563) granting an increase of pension to Orin D. Sisco, reported the same without amendment, accompanied by a report (No. 7720); 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 Senate (S. 3652) granting an increase of pension to Sallie Noble, reported the same without amendment, accompanied by a report (No. 7721); 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 Senate (S. 3672) granting an increase of pension to Daniel R. Emery, reported the same without amendment, accompanied by a report (No. 7722); 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 Senate (S. 3852) granting an increase of pension to Levi W. Curtis, reported the same without amendment, accompanied by a report (No. 7723); 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 Senate (S. 3929) granting an increase of pension to Ellen L. Stoughton, reported the same without amendment, accompanied by a report (No. 7724); 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 Senate (S. 3997) granting an increase of pension to Jacob Berry, reported the same without amendment, accompanied by a report (No. 7725); 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 Senate (S. 3998) granting an increase of pension to Thomas Warner, reported the same without amendment, accompanied by a report (No. 7726); 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 Senate (S. 4208) granting an increase of pension to Charles V. Nash, reported the same without amendment, accompanied by a report (No. 7727); 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 Senate (S. 4461) granting an increase of pension to Thomas S. Elsberry, reported the same without amendment, accompanied by a report (No. 7728); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4501) granting an increase of pension to Horatio S. Brewer, reported the same without amendment, accompanied by a report (No. 7729); 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 Senate (S. 4531) granting an increase of pension to Levi M. Stephenson, reported the same without amendment, accompanied by a report (No. 7730); 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 Senate (S. 4559) granting an increase of pension to John A. Wagner, reported the same without amendment, accompanied by a report (No. 7731); 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 Senate (S. 4562) granting an increase of pension to Henry Stegman, reported the same without amendment, accompanied by a report (No. 7732); 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 Senate (S. 4580) granting an increase of pension to William Hale, reported the same without amendment, accompanied by a report (No. 7733); 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 Senate (S. 4629) granting an increase of pension to Mary Jane Miller, reported the same without amendment, accompanied by a report (No. 7734); 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 Senate (S. 4693) granting an increase of pension to Irvin M. Hill, reported the same without amendment, accompanied by a report (No. 7735); 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 Senate (S. 4865) granting an increase of pension to James W. Muncy, reported the same without amendment, accompanied by a report (No. 7736); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4873) granting an increase of pension to D. Laning Ross, reported the same without amendment, accompanied by a report (No. 7737); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4875) granting an increase of pension to Nathan S. Wood, reported the same without amendment, accompanied by a report (No. 7738); 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 Senate (S. 4890) granting an increase of pension to Lorin N. Hawkins, reported the same without amendment, accompanied by a report (No. 7739); 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 Senate (S. 4936) granting an increase of pension to Jacob Grell, reported the same without amendment, accompanied by a report (No. 7740); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4958) granting an increase of pension to William W. Duffield, reported the same without amendment, accompanied by a report (No. 7741); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5125) granting an increase of pension to Nancy A. E. Hoffman, reported the same without amendment, accompanied by a report (No. 7742); 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 Senate (S. 5144) granting an increase of pension to Morgan H. Weeks, reported the same without amendment, accompanied by a report (No. 7743); 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 Senate (S. 5171) granting an increase of pension to Jennie H. Marshall, reported the same without amendment, accompanied by a report (No. 7744); 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 Senate (S. 5191) granting an increase of pension to Robert H. White, reported the same without amendment, accompanied by a report (No. 7745); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5261) granting an increase of pension to Stephen A. Barker, reported the same without amendment, accompanied by a report (No. 7746); 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 Senate (S. 5361) granting an increase of pension to John H. Peters, reported the same without amendment, accompanied by a report (No. 7747); 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 Senate (S. 5380) granting an increase of pension to Richard Jones, reported the same without amendment, accompanied by a report (No. 7748); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5383) granting an increase of pension to Greenberry B. Patterson, reported the same without amendment, accompanied by a report (No. 7749); 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 Senate (S. 5400) granting an increase of pension to John A. Chase, reported the same without amendment, accompanied by a report (No. 7750); 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 Senate (S. 5420) granting an increase of pension to Thomas W. Gilpatrick, reported the same without amendment, accompanied by a report (No. 7751); 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 Senate (S. 5423) granting an increase of pension to William M. Tinsley, reported the same without amendment, accompanied by a report (No. 7752); 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 Senate (S. 5456) granting an increase of pension to Marcellus Cash, reported the same without amendment, accompanied by a report (No. 7753); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5457) granting an increase of pension to Albert Teets, reported the same without amendment, accompanied by a report (No. 7754); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5558) granting an increase of pension to George Payne, reported the same without amendment, accompanied by a report (No. 7755); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5578) granting an increase of pension to Sheffield L. Sherman, jr., reported the same without amendment, accompanied by a report (No. 7756); 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 Senate (S. 5621) granting an increase of pension to Frederick Buehrle, reported the same without amendment, accompanied by a report (No. 7757); 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 Senate (S. 5623) granting an increase of pension to Nicholas M. Hawkins, reported the same without amendment, accompanied by a report (No. 7758); 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 Senate (S. 5681) granting an increase of pension to William Grant, reported the same without amendment, accompanied by a report (No. 7759; 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 Senate (S. 5692) granting an increase of pension to Margaret E. Craigo, reported the same without amendment, accompanied by a report (No. 7760); 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 Senate (S. 5718) granting an increase of pension to William D. Hoff, reported the same without amendment, accompanied by a report (No. 7761); 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 Senate (S. 5724) granting an increase of pension to George C. Saul, reported the same without amendment, accompanied by a report (No. 7762); 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 Senate (S. 5730) granting an increase of pension to William O. Spelman, reported the same without amendment, accompanied by a report (No. 7763); 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 Senate (S. 5752) granting an increase of pension to Ruth M. Hoag, reported the same without amendment, accompanied by a report (No. 7764); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5756) granting an increase of pension to Charles A. Bell, reported the same without amendment, accompanied by a report (No. 7765); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5782) granting an increase of pension to Octave L. F. E. Fariola, reported the same without amendment, accompanied by a report (No. 7766); 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 Senate (S. 5813) granting an increase of pension to Marshall T. Kennan, reported the same with amendment, accompanied by a report (No. 7767); 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 Senate (S. 5884) granting an increase of pension to Cyrus Palmer, reported the same without amendment, accompanied by a report (No. 7768); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5940) granting an increase of pension to Henry Bittleston, reported the same without amendment, accompanied by a report (No. 7769); 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 Senate (S. 5970) granting an increase of pension to Julia A. Horton, reported the same without amendment, accompanied by a report (No. 7770); 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 Senate (S. 5981) granting an increase of pension to John H. La Vaque, reported the same without amendment, accompanied by a report (No. 7771); 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 Senate (S. 5992) granting an increase of pension to Franklin Craig, reported the same without amendment, accompanied by a report (No. 7772); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6044) granting an increase of pension to John H. Arnold, reported the same without amendment, accompanied by a report (No. 7773); 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 Senate (S. 6076) granting an increase of pension to John McKnight, reported the same without amendment, accompanied by a report (No. 7774); 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 Senate (S. 6078) granting an increase of pension to Elijah B. Hudson, reported the same without amendment, accompanied by a report (No. 7775); 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 Senate (S. 6093) granting a pension to Hester A. Coller, reported the same without amendment, accompanied by a report (No. 7776); 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 Senate (S. 6103) granting an increase of pension to William P. Visgar, reported the same without amendment, accompanied by a report (No. 7777); 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 Senate (S. 6127) granting an increase of pension to John R. Callender, reported the same without amendment, accompanied by a report (No. 7778); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6140) granting an increase of pension to Julia A. Birge, reported the same without amendment, accompanied by a report (No. 7779); 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 Senate (S. 6245) granting an increase of pension to Susan Mahany, reported the same without amendment, accompanied by a report (No. 7780); 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 Senate (S. 6281) granting an increase of pension to Joseph C. Bowker, reported the same without amendment, accompanied by a report (No. 7781); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6319) granting an increase of pension to Angus Fraser, reported the same without amendment, accompanied by a report (No. 7782); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6380) granting an increase of pension to Josiah B. Kinsman, reported the same without amendment, accompanied by a report (No. 7783); 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 Senate (S. 6467) granting an increase of pension to John M. Smith, reported the same without amendment, accompanied by a report (No. 7784); 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 Senate (S. 6475) granting an increase of pension to Harvey Key, reported the same without amendment, accompanied by a report (No. 7785); 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 Senate (S. 6518) granting an increase of pension to William H. Stiles, reported the same without amendment, accompanied by a report (No. 7786); 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 Senate (S. 6531) granting an increase of pension to Francis A. Dory, reported the same without amendment, accompanied by a report (No. 7787); 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 Senate (S. 6567) granting an increase of pension to George C. Gibson, reported the same without amendment, accompanied by a report (No. 7788); 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 Senate (S. 6570) granting an increase of pension to George W. Cole, reported the same without amendment, accompanied by a report (No. 7789); 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 Senate (S. 6606) granting an increase of pension to Alexander Sholl, reported the same with-

out amendment, accompanied by a report (No. 7790); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6609) granting an increase of pension to John Shank, reported the same without amendment, accompanied by a report (No. 7791); 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 Senate (S. 6610) granting an increase of pension to Isaac Johnson, reported the same without amendment, accompanied by a report (No. 7792); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6612) granting an increase of pension to George H. McClung, reported the same without amendment, accompanied by a report (No. 7793); 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 Senate (S. 6616) granting an increase of pension to Jacob P. Crooker, reported the same without amendment, accompanied by a report (No. 7794); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6634) granting an increase of pension to John P. Murray, reported the same without amendment, accompanied by a report (No. 7795); 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 Senate (S. 6635) granting an increase of pension to John A. Morris, reported the same without amendment, accompanied by a report (No. 7796); 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 Senate (S. 6652) granting an increase of pension to Hiram H. Lockwood, reported the same without amendment, accompanied by a report (No. 7797); 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 Senate (S. 6663) granting an increase of pension to Thomas M. Chase, reported the same without amendment, accompanied by a report (No. 7798); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6665) granting an increase of pension to Samuel B. T. Goodrich, reported the same without amendment, accompanied by a report (No. 7799); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6669) granting an increase of pension to Timothy B. Lewis, reported the same without amendment, accompanied by a report (No. 7800); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6672) granting an increase of pension to Hannah Peavey, reported the same without amendment, accompanied by a report (No. 7801); 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 Senate (S. 6702) granting an increase of pension to Charles E. Du Bois, reported the same without amendment, accompanied by a report (No. 7802); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6711) granting an increase of pension to Harvey B. F. Keller, reported the same without amendment, accompanied by a report (No. 7803); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6713) granting an increase of pension to James L. Short, reported the same without amendment, accompanied by a report (No. 7804); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6724) granting a pension to Mary W. Granniss, reported the same without amendment, accompanied by a report (No. 7805); 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 Senate (S. 6731) granting an increase of pension to Elizabeth H. Rice, reported the same without amendment, accompanied by a report (No. 7806); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6734) granting an increase of pension to John C. Snell, reported the same without amendment, accompanied by a report (No. 7807); 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 Senate (S. 6774) granting an increase of pension to James B. Hackett, reported the same without amendment, accompanied by a report (No. 7808); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6768) granting an increase of pension to John E. Hayes, reported the same without amendment, accompanied by a report (No. 7809); 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 Senate (S. 6818) granting an increase of pension to John E. Anthony, reported the same without amendment, accompanied by a report (No. 7810); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6838) granting an increase of pension to Samuel Shepherd, reported the same without amendment, accompanied by a report (No. 7811); 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 Senate (S. 6899) granting an increase of pension to George H. Nye, reported the same without amendment, accompanied by a report (No. 7812); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6909) granting an increase of pension to William H. Adams, reported the same without amendment, accompanied by a report (No. 7813); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6910) granting an increase of pension to George F. Chamberlin, reported the same without amendment, accompanied by a report (No. 7814); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6911) granting an increase of pension to George A. Boyle, reported the same without amendment, accompanied by a report (No. 7815); 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 Senate (S. 6912) granting an increase of pension to James G. Harvey, reported the same without amendment, accompanied by a report (No. 7816); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6913) granting an increase of pension to Samuel C. Murdough, reported the same without amendment, accompanied by a report (No. 7817); 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 Senate (S. 6952) granting an increase of pension to Martin A. Rubert, reported the same without amendment, accompanied by a report (No. 7818); 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 Senate (S. 6954) granting an increase of pension to Henry Matter, reported the same without amendment, accompanied by a report (No. 7819); 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 Senate (S. 6955) granting an increase of pension to Abram W. Vandel, reported the same without amendment, accompanied by a report (No. 7820); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6956) granting an increase of pension to Eli Ford, alias Jacob Butler, reported the same without amendment, accompanied by a report (No. 7821); 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 Senate (S. 6962) granting an increase of pension to Franklin Rust, reported the same without amendment, accompanied by a report (No. 7822); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6970) granting an increase of pension to Alonzo W. Fuller, reported the same without amendment, accompanied by a report (No. 7823); 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 Senate (S. 6996) granting an increase of pension to John Snyder, reported the same without amendment, accompanied by a report (No. 7824); 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 Senate (S. 7004) granting an increase of pension to Edward G. Burnet, reported the same without amendment, accompanied by a report (No. 7825); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7021) granting an increase of pension to Hugh K. McJunkin, reported the same without amendment, accompanied by a report (No. 7826); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7038) granting an increase of pension to William Curran, reported the same without amendment, accompanied by a report (No. 7827); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7039) granting an increase of pension to Robert Hamilton, reported the same without amendment, accompanied by a report (No. 7828); 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 Senate (S. 7044) granting an increase of pension to Sylvester O. Pevear, reported the same without amendment, accompanied by a report (No. 7829); 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 Senate (S. 7054) granting an increase of pension to Charles H. Clapp, reported the same without amendment, accompanied by a report (No. 7830); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7058) granting an increase of pension to Gilbert Baillie, reported the same without amendment, accompanied by a report (No. 7831); 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 Senate (S. 7061) granting an increase of pension to Hugh McNaughton, reported the same without amendment, accompanied by a report (No. 7832); 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 Senate (S. 7063) granting an increase of pension to William T. Hastings, reported the same without amendment, accompanied by a report (No. 7833); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7064) granting a pension to Edward T. Blodgett, reported the same without amendment, accompanied by a report (No. 7834); 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 Senate (S. 7068) granting an increase of pension to Richard B. Hall, reported the same without amendment, accompanied by a report (No. 7835); 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 Senate (S. 7078) granting a pension to Daniel Schaffner, reported the same without amendment, accompanied by a report (No. 7836); 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 Senate (S. 7098) granting an increase of pension to Henrietta Teague, reported the same without amendment, accompanied by a report (No. 7837); 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 Senate (S. 7129) granting a pension to Susan J. Chandler, reported the same without amendment, accompanied by a report (No. 7838); 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 Senate (S. 7136) granting an increase of pension to Cornelia W. Clay, reported the same without amendment, accompanied by a report (No. 7839); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7138) granting an increase of pension to George H. Allen, reported the same without amendment, accompanied by a report (No. 7840); 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 Senate (S. 7150) granting an increase of pension to John Bell, reported the same without amendment, accompanied by a report (No. 7841); 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 Senate (S. 7154) granting an increase of pension to Samuel A. Miller, reported the same without amendment, accompanied by a report (No. 7842); 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 Senate (S. 7168) granting an increase of pension to Edward B. Shepherd, reported the same without amendment, accompanied by a report (No. 7843); 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 Senate (S. 7171) granting an increase of pension to Margaret Holden, reported the same without amendment, accompanied by a report (No. 7844); 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 Senate (S. 7194) granting an increase of pension to Lawrence Over, reported the same without amendment, accompanied by a report (No. 7845); 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 Senate (S. 7196) granting an increase of pension to William H. Hubbard, reported the same without amendment, accompanied by a report (No. 7846); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7218) granting an increase of pension to Samuel D. Thompson, reported the same without amendment, accompanied by a report (No. 7847); 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 Senate (S. 7222) granting an increase of pension to Sylvester Byrne, reported the same without amendment, accompanied by a report (No. 7848); 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 Senate (S. 7223) granting an increase of pension to Joseph W. Little, reported the same without amendment, accompanied by a report (No. 7849); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7231) granting an increase of pension to Oscar F. Richards, reported the same without amendment, accompanied by a report (No. 7850); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7237) granting an increase of pension to Daniel McConnell, reported the same without amendment, accompanied by a report (No. 7851); 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 Senate (S. 7268) granting an increase of pension to Dewayne W. Suydam, reported the same without amendment, accompanied by a report (No. 7852); 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 Senate (S. 7272) granting an increase of pension to George W. Cook, reported the same without amendment, accompanied by a report (No. 7853); 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 Senate (S. 7305) granting an increase of pension to Robert K. Leech, reported the same without amendment, accompanied by a report (No. 7854); which said bill and report were referred to the Privato Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7329) granting an increase of pension to Nathaniel Lewis Turner, reported the same without amendment, accompanied by a report (No. 7855); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7334) granting an increase of pension to Joshua T. Jellison, reported the same without amendment, accompanied by a report (No. 7856); 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 Senate (S. 7341) granting an increase of pension to Menzo S. Bishop, reported the same without amendment, accompanied by a report (No. 7857); 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 Senate (S. 7344) granting an increase of pension to Clara P. Coleman, reported the same without amendment, accompanied by a report (No. 7858); 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 Senate (S. 7355) granting an increase of pension to William McHenry Plotner, reported the same without amendment, accompanied by a report (No. 7859); 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 Senate (S. 7357) granting an increase of pension to Levi S. Bailey, reported the same without amendment, accompanied by a report (No. 7860); 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 Senate (S. 7373) granting an increase of pension to Jeremiah Thomas, reported the same without amendment, accompanied by a report (No. 7861); 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 Senate (S. 7379) granting an increase of pension to Mary E. Dougherty, reported the same without amendment, accompanied by a report (No. 7862); 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 Senate (S. 7380) granting an increase of pension to Andrew J. Harris, reported the same without amendment, accompanied by a report (No. 7863); 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 Senate (S. 7394) granting an increase of pension to Henrietta C. Cooley, reported the same without amendment, accompanied by a report (No. 7864); 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 Senate (S. 7420) granting a pension to Eleanor N. Sherman, reported the same without amendment, accompanied by a report (No. 7865); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7427) granting an increase of pension to George L. Danforth, reported the same without amendment, accompanied by a report (No. 7866); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7429) granting a pension to Caroline A. Gilmore, reported the same without amendment, accompanied by a report (No. 7867); 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 Senate (S. 7430) granting a pension to Mary F. Johnson, reported the same without amendment, accompanied by a report (No. 7868); 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 Senate (S. 7452) granting an increase of pension to Thomas Harrop, reported the same without amendment, accompanied by a report (No. 7869); 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 Senate (S. 7470) granting an increase of pension to William F. Burnett, reported the same without amendment, accompanied by a report (No. 7870); 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 Senate (S. 7473) granting an increase of pension to John M. Gilliland, reported the same without amendment, accompanied by a report (No. 7871); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7476) granting an increase of pension to Oliver S. Boggs, reported the same without amendment, accompanied by a report (No. 7872); 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 Senate (S. 7477) granting an increase of pension to Patrick Cooney, reported the same without amendment, accompanied by a report (No. 7873); 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 Senate (S. 7478) granting an increase of pension to William H. Brown, reported the same without amendment, accompanied by a report (No. 7874); 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 Senate (S. 7479) granting an increase of pension to George L. Corey, reported the same without amendment, accompanied by a report (No. 7875); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7480) granting an increase of pension to John Bowen, reported the same without amendment, accompanied by a report (No. 7876); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7481) granting an increase of pension to Alanson W. Edwards, reported the same without amendment, accompanied by a report (No. 7877); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7482) granting an increase of pension to Wilford Herrick, reported the same without amendment, accompanied by a report (No. 7878); 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 Senate (S. 7483) granting an increase of pension to Marinda D. Beery, reported the same without amendment, accompanied by a report (No. 7879); 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 Senate (S. 7485) granting an increase of pension to Lester M. P. Griswold, reported the same without amendment, accompanied by a report (No. 7880); 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 Senate (S. 7491) granting an increase of pension to Anna V. Blaney, reported the same without amendment, accompanied by a report (No. 7881); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7493) granting an increase of pension to George Arthur Tappan, reported the same without amendment, accompanied by a report (No. 7882); 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 Senate (S. 7503) granting an increase of pension to George W. Baker, reported the same without amendment, accompanied by a report (No. 7883); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7504) granting an increase of pension to David Decker, reported the same without amendment, accompanied by a report (No. 7884); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7509) granting an increase of pension to William T. Bennett, reported the same without amendment, accompanied by a report (No. 7885); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7531) granting an increase of pension to William F. Letts, reported the same without amendment, accompanied by a report (No. 7886); 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 Senate (S. 7532) granting an increase of pension to Joseph Kiichli, reported the same without amendment, accompanied by a report (No. 7887); 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 Senate (S. 7533) granting an increase of pension to Orvil Dodge, reported the same without amendment, accompanied by a report (No. 7888); 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 Senate (S. 7553) granting an increase of pension to Adolphus P. Clark, reported the same without amendment, accompanied by a report (No. 7889); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7555) granting an increase of pension to James T. Piggott, reported the same without amendment, accompanied by a report (No. 7890); 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 Senate (S. 7561) granting an increase of pension to Charles A. Woodward, reported the same without amendment, accompanied by a report (No. 7891); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7567) granting an increase of pension to William Booth, reported the same without amendment, accompanied by a report (No. 7892); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7570) granting an increase of pension to George W. Hapgood, reported the same without amendment, accompanied by a report (No. 7893); 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 Senate (S. 7572) granting an increase of pension to Warren M. Fales, reported the same without amendment, accompanied by a report (No. 7894); 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 Senate (S. 7574) granting an increase of pension to Emily J. Larkham, reported the same without amendment, accompanied by a report (No. 7895); 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 Senate (S. 7598) granting an increase of pension to Jesse C. Newell, reported the same without amendment, accompanied by a report (No. 7896); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7604) granting an increase of pension to John M. Morgan, reported the same without amendment, accompanied by a report (No. 7897); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7605) granting an increase of pension to Judiah B. Smithson, reported the same without amendment, accompanied by a report (No. 7898); 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 Senate (S. 7606) granting an increase of pension to Samuel Reeves, reported the same without amendment, accompanied by a report (No. 7899); 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 Senate (S. 7609) granting an increase of pension to Thomas Strong, reported the same without amendment, accompanied by a report (No. 7900); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7610) granting an increase of pension to Frederick Kurz, reported the same without amendment, accompanied by a report (No. 7901); 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 Senate (S. 7616) granting an increase of pension to Ezekiel C. Ford, reported the same without amendment, accompanied by a report (No. 7902); 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 Senate (S. 7622) granting an increase of pension to George K. Taylor, reported the same without amendment, accompanied by a report (No. 7903); 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 Senate (S. 7628) granting an increase of pension to John P. Wildman, reported the same without amendment, accompanied by a report (No. 7904); 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 Senate (S. 7632) granting an increase of pension to Elias W. Garrett, reported the same without amendment, accompanied by a report (No. 7905); 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 Senate (S. 7634) granting an increase of pension to Charles Shattuck, reported the same without amendment, accompanied by a report (No. 7906); 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 Senate (S. 7636) granting an increase of pension to Samuel M. Breckenridge, reported the same without amendment, accompanied by a report (No. 7907); 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 Senate (S. 7642) granting an increase of pension to Oliver H. P. Rhoads, reported the same without amendment, accompanied by a report (No. 7908); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7655) granting an increase of pension to Francis G. Brown, reported the same without amendment, accompanied by a report (No. 7909); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7657) granting an increase of pension to Harman Grass, reported the same without amendment, accompanied by a report (No. 7910); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7666) granting an increase of pension to True Sanborn, jr., reported the same without amendment, accompanied by a report (No. 7911); 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 Senate (S. 7667) granting a pension to Henry Lunn, reported the same without amendment, accompanied by a report (No. 7912); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7668) granting an increase of pension to Henry H. Buzzell, reported the same without amendment, accompanied by a report (No. 7913); 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 Senate (S. 7670) granting a pension to Sarah E. Lungren, reported the same without amendment, accompanied by a report (No. 7914); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7671) granting an increase of pension to Charles H. Alden, reported the same without amendment, accompanied by a report (No. 7915); 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 Senate (S. 7678) granting an increase of pension to Joseph Kennedy, reported the same without amendment, accompanied by a report (No. 7916); 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 Senate (S. 7679) granting an increase of pension to George M. Shaffer, reported the same without amendment, accompanied by a report (No. 7917); 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 Senate (S. 7683) granting an increase of pension to William Wakefield, reported the same without amendment, accompanied by a report (No. 7918); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7685) granting an increase of pension to Albion W. Tebbetts, reported the same without amendment, accompanied by a report (No. 7919); 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 Senate (S. 7698) granting a pension to Fannie S. Grant, reported the same without amendment, accompanied by a report (No. 7920); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7708) granting an increase of pension to Sue A. Brockway, reported the same without amendment, accompanied by a report (No. 7921); 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 Senate (S. 7745) granting an increase of pension to Frederick Wood, reported the same without amendment, accompanied by a report (No. 7922); 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 Senate (S. 7763) granting an increase of pension to Jacob S. Hawkins, reported the same without amendment, accompanied by a report (No. 7923); 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 Senate (S. 7764) granting an increase of pension to Davis Gilborne, reported the same without amendment, accompanied by a report (No. 7924); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7768) granting an increase of pension to Alonzo P. Mann, reported the same without amendment, accompanied by a report (No. 7925); 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 Senate (S. 7772) granting a pension to Ellen Dougherty, reported the same without amendment, accompanied by a report (No. 7926); 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 Senate (S. 7782) granting an increase of pension to Henry F. Reuter, reported the same without amendment, accompanied by a report (No. 7927); 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 Senate (S. 7785) granting an increase of pension to Carlo J. Emerson, reported the same without amendment, accompanied by a report (No. 7928); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7786) granting an increase of pension to Chauncey M. Snow, reported the same without amendment, accompanied by a report (No. 7929); 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 Senate (S. 7818) granting an increase of pension to Edward Bird, reported the same without amendment, accompanied by a report (No. 7930); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7820) granting an increase of pension to Benjamin B. Cravens, reported the same without amendment, accompanied by a report (No. 7931); 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 Senate (S. 7822) granting an increase of pension to William N. Bronson, reported the same without amendment, accompanied by a report (No. 7932); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7825) granting an increase of pension to Garret P. Rockwell, reported the same without amendment, accompanied by a report (No. 7933); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7830) granting an increase of pension to Wilbur A. Stiles, reported the same without amendment, accompanied by a report (No. 7934); 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 Senate (S. 7831) granting an increase of pension to William H. Grandaw, reported the same without amendment, accompanied by a report (No. 7935); 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 Senate (S. 7838) granting an increase of pension to Ole Gunderson, reported the same without amendment, accompanied by a report (No. 7936); 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 Senate (S. 7840) granting an increase of pension to Lewis A. Towne, reported the same with amendment, accompanied by a report (No. 7937); 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 Senate (S. 7841) granting an increase of pension to Frank De Noyer, reported the same without amendment, accompanied by a report (No. 7938); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7842) granting an increase of pension to Evarts C. Stevens, reported the same without amendment, accompanied by a report (No. 7939); 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 Senate (S. 7843) granting an increase of pension to Isaac Oakman, reported the same without amendment, accompanied by a report (No. 7940); 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 Senate (S. 7862) granting an increase of pension to Elias Laughner, reported the same without amendment, accompanied by a report (No. 7941); 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 Senate (S. 7870) granting an increase of pension to Albert Bennington, reported the same without amendment, accompanied by a report (No. 7942); 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 Senate (S. 7871) granting a pension to Catharine Hayes, reported the same without amendment, accompanied by a report (No. 7943); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7872) granting an increase of pension to Gilbert H. Keck, reported the same without amendment, accompanied by a report (No. 7944); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7877) granting an increase of pension to Thomas D. Marsh, reported the same without amendment, accompanied by a report (No. 7945); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7878) granting an increase of pension to Richard J. Gibbs, reported the same without amendment, accompanied by a report (No. 7946); 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 Senate (S. 7880) granting an increase of pension to Sarah E. Stockton, reported the same without amendment, accompanied by a report (No. 7947); 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 Senate (S. 7890) granting an increase of pension to Henry Zacher, alias Charles Stein, reported the same without amendment, accompanied by a report (No. 7948); 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 Senate (S. 7895) granting an increase of pension to William Wallace, reported the same without amendment, accompanied by a report (No. 7949); 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 Senate (S. 7907) granting an increase of pension to Wilkison B. Ross, reported the same without amendment, accompanied by a report (No. 7950); 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 Senate (S. 7915) granting an increase of pension to Mary M. Howell, reported the same without amendment, accompanied by a report (No. 7951); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7918) granting an increase of pension to Royal T. Melvin, reported the same without amendment, accompanied by a report (No. 7952); 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 Senate (S. 7923) granting an increase of pension to William H. Brady, reported the same without amendment, accompanied by a report (No. 7953); 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 Senate (S. 7930) granting an increase of pension to Joseph Hare, jr., reported the same without amendment, accompanied by a report (No. 7954); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7936) granting an increase of pension to Liberty W. Foskett, reported the same without amendment, accompanied by a report (No. 7955); 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 Senate (S. 7938) granting an increase of pension to John W. Messick, reported the same without amendment, accompanied by a report (No. 7956); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7947) granting an increase of pension to Charles G. Sweet, reported the same without amendment, accompanied by a report (No. 7957); 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 Senate (S. 7948) granting an increase of pension to Jane Tate, reported the same without amendment, accompanied by a report (No. 7958); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7968) granting an increase of pension to James Slater, reported the same without amendment, accompanied by a report (No. 7959); 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 Senate (S. 7983) granting an increase of pension to Samuel Dubois, reported the same without amendment, accompanied by a report (No. 7960); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7995) granting an increase of pension to Ashley White, reported the same without amendment, accompanied by a report (No. 7961); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7996) granting an increase of pension to Robert B. Lucas, reported the same without amendment, accompanied by a report (No. 7962); 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 Senate (S. 8005) granting an increase of pension to Garrett F. Cowan, reported the same without amendment, accompanied by a report (No. 7963); 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 Senate (S. 8006) granting an increase of pension to Epaminondas P. Thurston, reported the same without amendment, accompanied by a report (No. 7964); 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 Senate (S. 8015) granting an increase of pension to Samuel B. Hunter, reported the same without amendment, accompanied by a report (No. 7965); 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 Senate (S. 8017) granting an increase of pension to Watson L. Corner, reported the same without amendment, accompanied by a report (No. 7966); 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 Senate (S. 8021) granting an increase of pension to John F. Martine, reported the same without amendment, accompanied by a report (No. 7967); 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 Senate (S. 8023) granting an increase of pension to Harry N. Medbury, reported the same without amendment, accompanied by a report (No. 7968); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8024) granting a pension to Susan J. Rogers, reported the same without amendment, accompanied by a report (No. 7969); 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 Senate (S. 8034) granting an increase of pension to Jacob M. F. Roberts, reported the same without amendment, accompanied by a report (No. 7970); 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 Senate (S. 8038) granting an increase of pension to John F. Ackley, reported the same without amendment, accompanied by a report (No. 7971); 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 Senate (S. 8049) granting an increase of pension to Daniel C. Swartz, reported the same without amendment, accompanied by a report (No. 7972); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8056) granting an increase of pension to William H. Fountain, reported the same without amendment, accompanied by a report (No. 7973); 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 Senate (S. 8064) granting an increase of pension to Carloss Trowbridge, reported the same without amendment, accompanied by a report (No. 7974); 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 Senate (S. 8079) granting an increase of pension to Joseph Ickstadt, reported the same without amendment, accompanied by a report (No. 7975); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8081) granting an increase of pension to William H. Cochran, reported the same without amendment, accompanied by a report (No. 7976); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8084) granting an increase of pension to John Hazen, reported the same without amendment, accompanied by a report (No. 7977); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8089) granting an increase of pension to Mary E. Jacobs, reported the same without amendment, accompanied by a report (No. 7978); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8090) granting an increase of pension to Inger A. Steensrud, reported the same without amendment, accompanied by a report (No. 7979); 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 Senate (S. 8101) granting an increase of pension to Jacob B. Getter, reported the same without amendment, accompanied by a report (No. 7980); 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 Senate (S. 8104) granting an increase of pension to Henry Shelley, reported the same without amendment, accompanied by a report (No. 7981); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8105) granting an increase of pension to Anna Arnold, reported the same without amendment, accompanied by a report (No. 7982); 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 Senate (S. 8107) granting an increase of pension to Leonidas Obenshain, reported the same without amendment, accompanied by a report (No. 7983); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8120) granting an increase of pension to Benjamin T. Woods, reported the same without amendment, accompanied by a report (No. 7984); 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 Senate (S. 8125) granting an

increase of pension to Mary O. Cherry, reported the same without amendment, accompanied by a report (No. 7985); 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 Senate (S. 8153) granting an increase of pension to Henry B. Johnson, reported the same without amendment, accompanied by a report (No. 7986); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8195) granting an increase of pension to Asa E. Swasey, reported the same without amendment, accompanied by a report (No. 7987); 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 Senate (S. 8196) granting an increase of pension to Michael J. Geary, reported the same without amendment, accompanied by a report (No. 7988); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8201) granting an increase of pension to Clara A. Keeting, reported the same without amendment, accompanied by a report (No. 7989); 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 Senate (S. 8207) granting an increase of pension to Peter Wedeman, reported the same without amendment, accompanied by a report (No. 7990); 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 Senate (S. 8215) granting an increase of pension to James W. Lendsay, reported the same without amendment, accompanied by a report (No. 7991); 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 Senate (S. 8235) granting a pension to James H. Huntington, reported the same without amendment, accompanied by a report (No. 7992); 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 Senate (S. 8258) granting a pension to Mary B. Yerington, reported the same without amendment, accompanied by a report (No. 7993); 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 Senate (S. 8259) granting an increase of pension to Henry B. Love, reported the same without amendment, accompanied by a report (No. 7994); 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 Senate (S. 8278) granting an increase of pension to Calvin Herring, reported the same without amendment, accompanied by a report (No. 7995); 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 Senate (S. 8279) granting a pension to Edward Dunscomb, reported the same without amendment, accompanied by a report (No. 7996); 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 Senate (S. 8302) granting a pension to Ella B. Morrow, reported the same without amendment, accompanied by a report (No. 7997); 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 Senate (S. 8317) granting an increase of pension to Annie C. Stephens, reported the same without amendment, accompanied by a report (No. 7998); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8340) granting an increase of pension to Maria L. Philbrick, reported the same without amendment, accompanied by a report (No. 7999); 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 Senate (S. 8345) granting an increase of pension to Frank Holderby, alias Frank Giles, reported the same without amendment, accompanied by a report (No. 8000); 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 Senate (S. 8347) granting an increase of pension to Ervin F. Mann, reported the same without amendment, accompanied by a report (No. 8001); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8348) granting an increase of pension to Cornelius E. Bliss, reported the same without amendment, accompanied by a report (No. 8002); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8349) granting a pension to Mary Ellen Van Amringe, reported the same without amendment, accompanied by a report (No. 8003); 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 Senate (S. 8378) granting an increase of pension to Eli B. Woodard, reported the same without amendment, accompanied by a report (No. 8004); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8379) granting an increase of pension to Bertha Maria Johnson, reported the same without amendment, accompanied by a report (No. 8005); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8390) granting an increase of pension to Joseph H. Kinsman, reported the same without amendment, accompanied by a report (No. 8006); 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 Senate (S. 8397) granting an increase of pension to Martin Peacock, reported the same without amendment, accompanied by a report (No. 8007); 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 Senate (S. 8404) granting an increase of pension to Nelson W. Jameson, reported the same without amendment, accompanied by a report (No. 8008); 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 Senate (S. 8407) granting an increase of pension to Reuben C. Webb, reported the same without amendment, accompanied by a report (No. 8009); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 8422) granting an increase of pension to Overton E. Harris, reported the same without amendment, accompanied by a report (No. 8010); 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 Senate (S. 8443) granting a pension to Fanny M. Grant, reported the same without amendment, accompanied by a report (No. 8011); 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 Senate (S. 8469) granting an increase of pension to Thomas L. Hewitt, reported the same without amendment, accompanied by a report (No. 8012); 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. 25601) to repeal the act approved January 22, 1903, granting a pension to Minerva Robinson, reported the same without amendment, accompanied by a report (No. 8013); which said bill and report were referred to the Private Calendar.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6729) authorizing the President to appoint Webb C. Maglathlin a second assistant engineer in the Revenue-Cutter Service, reported the same without amendment, accompanied by a report (No. 8015); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 4008) granting an increase of pension to Charles B. Saunders, reported the same without amendment, accompanied by a report (No. 8027); which said bill and report were referred to the Private Calendar.

Mr. SMITH of Michigan, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 7283) granting an increase of pension to William T. Cooper, reported the same without amendment, accompanied by a report (No. 8029); 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 Senate (S. 7993) granting an increase of pension to George E. Purdy, reported the same without amendment, accompanied by a report (No. 8030); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8314) granting

an increase of pension to James P. Worrell, reported the same without amendment, accompanied by a report (No. 8031); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8508) granting an increase of pension to Miranda W. Howard, reported the same without amendment, accompanied by a report (No. 8032); which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII, adverse report was delivered to the Clerk, and laid on the table, as follows:

Mr. CAPRON, from the Committee on Foreign Affairs, to which was referred the resolution of the House (H. Res. 832) relating to the estates of William N. Pethick, Henry H. Cunningham, and Joseph Azarian, reported the same adversely, accompanied by a report (No. 8014); which said resolution and report were laid on the table.

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. CHARLES B. LANDIS: A bill (H. R. 25736) to amend an act providing for the public printing and binding and the distribution of public documents—to the Committee on Printing.

By Mr. SHERMAN: A bill (H. R. 25737) for the relief of certain white persons who intermarried with Cherokee citizens—to the Committee on Indian Affairs.

By Mr. JAMES: A bill (H. R. 25738) to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 25739) to authorize the Cairo and Tennessee River Railroad Company to construct bridges across Cumberland River—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: A bill (H. R. 25740) concerning the sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ANDREWS: A bill (H. R. 25741) to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 8, 1901—to the Committee on Indian Affairs.

By Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 25742) to authorize the Twin City Power Company to construct two dams across the Savannah River above the city of Augusta, Ga.—to the House Calendar.

By Mr. ACHESON: A bill (H. R. 25743) to authorize Washington and Fayette counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River—to the Committee on Interstate and Foreign Commerce.

By Mr. PARSONS: A bill (H. R. 25744) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. TAWNEY, from the Committee on Appropriations: A bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes—to the Union Calendar.

By Mr. CAMPBELL of Kansas. A joint resolution (H. J. Res. 247) extending the provisions of the act of June 27, 1890, to include the officers and privates of Capt. David Beaty's company of independent scouts, and the widows and minor children of all such persons; also extending the provisions of the act of 1907 to the officers and privates of said company—to the Committee on Invalid Pensions.

By Mr. JONES of Virginia: A resolution (H. Res. 858) to pay J. G. Hiden, clerk of the late Representative John F. Rixey, the amount due him for clerk hire—to the Committee on Accounts.

By Mr. BABCOCK: A resolution (H. Res. 859) to pay to the clerk of Committee on the District of Columbia an increase of salary—to the Committee on Accounts.

By Mr. STERLING: A resolution (H. Res. 860) providing for consideration of Senate bill 5133—to the Committee on Rules.

By Mr. HULL: A resolution (H. Res. 861) to pay the clerk of Committee on Military Affairs an increase of salary—to the Committee on Accounts.

By Mr. LORIMER: A resolution (H. Res. 862) to pay C. A. Hamilton $250 for services rendered to the Committee on Agriculture as asistant clerk—to the Committee on Accounts.

By Mr. BARTLETT: A resolution (H. Res. 863) providing for consideration of Senate bill 5133—to the Committee on Rules.

By Mr. BENNET of New York: A resolution (H. Res. 864) providing for the consideration of an amendment to the post-office appropriation bill—to the Committee on Rules.

By Mr. BATES (by request): A resolution (H. Res. 865) that the portraits of all former ex-Speakers of the House of Representatives be placed in the House lobby—to the Committee on the Library.

By Mr. MANN: A resolution (H. Res. 866) providing for the consideration of an amendment to the post-office appropriation bill—to the Committee on Rules.

By Mr. OVERSTREET of Indiana: A resolution (H. Res. 867) providing for the consideration of an amendment to the post-office appropriation bill—to the Committee on Rules.

Also, a resolution (H. Res. 868) providing for the consideration of an amendment to the post-office appropriation bill—to the Committee on Rules.

By Mr. GRONNA: Memorial of the legislature of North Dakota, relating to amendment of the denatured-alcohol bill now pending in Congress—to the Committee on Ways and Means.

Also, memorial of the legislature of North Dakota, relative to improvements of the upper Missouri River and the Yellowstone River for navigation purposes—to the Committee on Rivers and Harbors.

Also, memorial of the legislature of North Dakota, relating to repeal of the tariff on lumber and coal between the United States and the Provinces of Canada—to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Commonwealth of Massachusetts, praying for liberal appropriations for the extermination of the gypsy moth and brown-tail moth—to the Committee on Agriculture.

Also, memorial of the constitutional convention of Oklahoma, praying for additional appropriations to defray the expenses of establishing statehood—to the Committee on Appropriations.

By Mr. MARTIN: Memorial of the legislature of South Dakota, recommending the amendment of the internal-revenue laws of the United States—to the Committee on the Judiciary.

Also, memorial of the legislature of South Dakota, asking Congress to remove the tariff from saw logs and lumber—to the Committee on Ways and Means.

By Mr. WEEKS: Memorial of the legislature of the Commonwealth of Massachusetts, relative to the gypsy and brown-tail moths—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 25746) granting an increase of pension to Henry Chase—to the Committee on Invalid Pensions.

By Mr. DICKSON of Illinois: A bill (H. R. 25747) granting a pension to Mary E. Farthing—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 25748) granting a pension to Daniel Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 25749) granting a pension to John Bittle—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 25750) granting an increase of pension to James Sidlinger—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 25751) for the relief of the estates of Luther Ruff and Warren Ruff, deceased—to the Committee on War Claims.

By Mr. LITTLEFIELD: A bill (H. R. 25752) granting an increase of pension to Philip E. Abbott—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committee was discharged from the consideration of the following resolution; which was thereupon referred, as follows:

A bill (H. Res. 852) requesting the Secretary of the Treasury to transmit to the House of Representatives of the Sixtieth Congress certain information concerning rates of interest charged to certain national banks—Committee on Military Affairs discharged, and referred to the Committee on Banking and Currency.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the governor of Colorado, against legislation to interfere with the right of citizens to acquire public lands under the homestead act—to the Committee on the Public Lands.

Also, petition of Bradywine Lodge of the Brotherhood of Railway Trainmen, for bill (S. 5133) for the safety of employees, travelers, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of various organizations of citizens in the States and the District of Columbia, against the Littlefield bill—to the Committee on the Judiciary.

By Mr. ACHESON: Paper to accompany bill for relief of Clark Kelley—to the Committee on Invalid Pensions.

Also, petition of the Pennsylvania Association, for an appropriation of $75,000 for the Alaska-Yukon-Pacific Exposition—to the Committee on Industrial Arts and Expositions.

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

Also, petition of the Chamber of Commerce and Board of Trade of Porto Rico, for an appropriation to deepen San Juan Harbor—to the Committee on Rivers and Harbors.

Also, petition of the California State Federation of Labor, against the position of the President relative to the Japanese of San Francisco—to the Committee on Foreign Affairs.

Also, petition of the Washington (Pa.) Central Trades Assembly, for support of the Interparliamentary Union on subjects to be discussed at the second Hague conference—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for bill H. R. 9754 (salary increase of post-office clerks and an eight-hour day)—to the Committee on the Post-Office and Post-Roads.

By Mr. BARCHFELD: Petition of citizens of Allegheny County, Pa., against bill S. 5221, to regulate the practice of osteopathy in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BRADLEY: Petition of Typographical Union No. 305, of Newburgh, N. Y., for bill H. R. 19853 (the copyright bill)—to the Committee on Patents.

By Mr. BURKE of Pennsylvania: Petition of the California State Federation of Labor, for increase of salaries of post-office clerks (H. R. 9754)—to the Committee on the Post-Office and Post-Roads.

Also, petition of the California State Federation of Labor, against the position of the President relative to the Japanese in San Francisco—to the Committee on Foreign Affairs.

By Mr. CROMER: Petition of Muncie (Ind.) Typographical Union, No. 332, for bills S. 6330 and H. R. 19853 (the copyright bills)—to the Committee on Patents.

By Mr. DAWSON: Petition of Typographical Union No. 334, of Clinton, Iowa, for the copyright bill—to the Committee on Patents.

By Mr. DOVENER: Paper to accompany bill for relief of Larnie Deane and James Deane—to the Committee on Claims.

By Mr. ESCH: Petition of the California State Federation of Labor, against the position of the President relative to the Japanese of San Francisco—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for bill H. R. 9754 (increase of salaries of post-office clerks)—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Eighth Ward Aid Association, of La Crosse, Wis. (322 citizens), against the Littlefield bill—to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of the Maritime Association of the Port of New York, for bill H. R. 23714, for a monument to De Long in Woodlawn Cemetery, New York—to the Committee on the Library.

Also, petition of the War Veterans and Sons' Association of Brooklyn, N. Y., against abolition of pension agencies—to the Committee on Appropriations.

By Mr. FULKERSON: Petition of St. Joseph (Mo.) Typographical Union, No. 40, for bills S. 6330 and H. R. 19853 (the copyright bills)—to the Committee on Patents.

By Mr. FULLER: Petition of the Illinois Corn Growers' Association, for an amendment to the free-alcohol law to permit of small distilleries—to the Committee on Ways and Means.

Also, petition of the California State Federation of Labor, for bill H. R. 9754 (increase of salaries of postal clerks)—to the Committee on the Post-Office and Post-Roads.

Also, petition of F. F. Frazee, of Seneca, Ill., for legislation authorizing tests of safety devices to prevent accidents on railways—to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM: Petition of the California State Federation of Labor, against the position of the President relative to the status of the Japanese in San Francisco—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for bill H. R. 9154, for increase of post-office clerks' salaries—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Chamber of Commerce of Porto Rico, for an appropriation to dredge the harbor of San Juan—to the Committee on Rivers and Harbors.

Also, petition of Felix G. Lutz, of Allegheny City, Pa., for increased pay for post-office clerks—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Crutchfield & Woolfolk, of Pittsburg, Pa., and the National League of Commission Merchants, for a treaty deal with Germany to secure continuance and growth of the German demand for American fruits—to the Committee on Ways and Means.

Also, petition of N. F. Hill, master of the Pennsylvania State Grange, for an amendment to the free-alcohol law—to the Committee on Ways and Means.

Also, petition of the Pennsylvania Association, for an appropriation of $75,000 for the Alaska-Yukon-Pacific Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, petition of the First Synod of the West of the United Presbyterian Church of North America, for a Sabbath law for the District of Columbia that shall suppress all unnecessary work and secular sports and pastimes—to the Committee on the District of Columbia.

By Mr. HASKINS: Petition of the Congregational, Methodist, Baptist, and Universalist churches of Vermont, for the Littlefield bill—to the Committee on the Judiciary.

By Mr. HAYES: Petition of the California State Federation of Labor, against the position of the President relative to the Japanese in San Francisco—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for bill H. R. 9754 (increase of salary of post-office clerks)—to the Committee on the Post-Office and Post-Roads.

By Mr. HEFLIN: Paper to accompany bill for relief of Mrs. M. E. Lewis—to the Committee on Pensions.

By Mr. HINSHAW: Petition of R. R. Schick, of Seward, Nebr., for the Madden bill (H. R. 23558 and S. 7887) for reciprocal demurrages—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Union Veterans' Union of Omaha, for bill H. R. 24544, placing officers of the civil war on the retired list—to the Committee on Military Affairs.

By Mr. HUBBARD: Concurrent resolution of the house and senate of the State of Iowa, for bill S. 5133 (the sixteen-hour bill)—to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of the Associated Charities of San Francisco, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Japanese and Korean Exclusion League of San Francisco, for exclusion of Japanese laborers by enactment of an exclusion law—to the Committee on Foreign Affairs.

By Mr. LAFEAN: Petition of the York (Pa.) Ministerial Association, against repeal of the anticanteen law—to the Committee on Military Affairs.

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

By Mr. MOORE of Pennsylvania: Petition of the Wool Sorters' Union of Philadelphia, Pa., for revision of the tariff on certain kinds of wool—to the Committee on Ways and Means.

Also, petition of C. H. Graves and Schreibers & Sons, of Philadelphia, against discrimination on American photographs and for a minimum amount in case of infringement in the copyright law—to the Committee on Patents.

By Mr. NEEDHAM: Petition of the California State Federation of Labor, for increase of salaries of post-office clerks (H. R. 9754) and an eight-hour day—to the Committee on the Post-Office and Post-Roads.

Also, petition of the California State Federation of Labor, against the position of the President relative to the Japanese in San Francisco—to the Committee on Foreign Affairs.

By Mr. POLLARD: Petition of citizens of Havelock, Nebr., for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. RUPPERT: Petition of the War Veterans' and Sons' Association, against abolition of pension agencies—to the Committee on Appropriations.

Also, petition of the Chamber of Commerce of New York City,

for the Olcott post-office building bill—to the Committee on Public Buildings and Grounds.

Also, petition of the Wool Growers and Sheep Breeders of the United States, against forest reserves on land not already timbered—to the Committee on Agriculture.

Also, petition of the educational board of the International Association of Machinists, for a foundry at the Naval Gun Factory, Washington, D. C.—to the Committee on Naval Affairs.

Also, petition of the board of directors of the Merchants' Association of New York, for bill H. R. 24762, for a post-office in New York City on the site of the Pennsylvania Railway terminal—to the Committee on Public Buildings and Grounds.

Also, petition of the Grand Army of the Republic Association of Philadelphia, against abolition of pension agencies—to the Committee on Appropriations.

Also, petition of the National German-American Alliance, against bill H. R. 13655 (the Littlefield bill)—to the Committee on the Judiciary.

By Mr. SULZER: Petition of the National Business League, for conservation of the public lands—to the Committee on the Public Lands.

Also, petition of the National Business League, for improvement in the consular service—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, against the position of the President relative to Japanese in San Francisco—to the Committee on Foreign Affairs.

Also, petition of the California State Federation of Labor, for bill H. R. 9754 (increase of salaries of post-office clerks)—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of W. A. Long and W. H. Woreslender—to the Committee on War Claims.

By Mr. WEISSE: Petition of the Cairo Commercial Club and the Cairo Board of Trade, for an appropriation of $50,000,000 annually for improvement of the waterways of the country—to the Committee on Rivers and Harbors.

SENATE.

WEDNESDAY, *February 20, 1907.*

The Senate met at 11 o'clock a. m.

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

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. MCCUMBER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

SPECIAL EMPLOYEES OF INTERSTATE COMMERCE COMMISSION.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, stating, in response to a resolution of the 14th instant, that its response heretofore made to the resolution of February 8, 1907, gives the names and compensation of all persons who have been specially or temporarily employed by the Commission at any time between June 30, 1906, and February 1, 1907; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

CAR SHORTAGE.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting a transcript of the testimony recently taken by the Commission at Minneapolis and Chicago, respecting the shortage of cars for the movement of freight; which, with the accompanying papers, was referred to the Committee on Interstate Commerce, and ordered to be printed.

FOREST RESERVES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting an additional list of the names of persons who conveyed or relinquished to the United States lands within forest reserves prior to the act of March 3, 1905, and who failed to select other lands in lieu thereof, etc.; which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

SAN FRANCISCO EARTHQUAKE EXPENDITURES.

The VICE-PRESIDENT laid before the Senate a communication from the Postmaster-General, transmitting, pursuant to law, a detailed statement of the expenditures made by the Post-Office Department out of the additional appropriation for the public service on account of earthquake and the attendant conflagration on the Pacific coast up to December 31, 1907; which, with the accompanying papers, 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 disagreed to the amendments of the Senate to the bill (H. R. 5290) providing for the allotment and distribution of Indian tribal funds, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. BURKE of South Dakota, and Mr. ZENOR managers at the conference on the part of the House.

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. 22599. An act to grant certain lands to the city of Boulder, Colo.;

H. R. 24134. An act providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation in Colorado;

H. R. 25039. An act to enable the city of Phoenix, in Maricopa County, Ariz., 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;

H. R. 25570. An act to amend an act approved May 8, 1906, entitled "An act to amend section 6 of the act approved February 8, 1887, entitled 'An act 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 the Territories over the Indians, and for other purposes;'"

H. R. 25627. An act to authorize the county of Armstrong, in the State of Pennsylvania, to construct a bridge across the Allegheny River in Armstrong County, Pa.; and

H. J. Res. 223. Joint resolution relating to the holders of medals of honor.

ENROLLED BILLS SIGNED.

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

S. 7372. An act to authorize the acceptance by the Secretary of the Navy, as a gift, of a sail boat for use of the midshipmen at the Naval Academy;

S. 8274. An act to amend an act to authorize the construction of two bridges across the Cumberland River at or near Nashville, Tenn.;

S. 8362. An act to authorize the city council of Salt Lake City, Utah, to construct and maintain a boulevard through the military reservation of Fort Douglas, Utah;

H. R. 14361. An act granting an honorable discharge to David Harrington;

H. R. 17875. An act waiving the age limit for admission to the Pay Corps of the United States Navy in the case of W. W. Peirce;

H. R. 18924. An act for the relief of George M. Esterly;

H. R. 21579. An act granting an increase of pension to Sarah R. Harrington;

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. 24821. An act to authorize the Georgia Southwestern and Gulf Railroad Company to construct a bridge across the Chattahoochee River between the States of Alabama and Georgia;

H. R. 24989. An act to provide for the commutation for townsite purposes of homestead entries in certain portions of Oklahoma;

H. R. 25046. An act to authorize the construction of a bridge across the Mississippi River at Louisiana, Mo.; and

H. R. 25366. An act to authorize the New Orleans and Great Northern Railroad Company to construct a bridge across Pearl River, in the State of Mississippi.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a resolution adopted by the Presbyterian Inter-Synodical Foreign Missionary Convention; which was read, and ordered to lie on the table, as follows:

OMAHA, NEBR., *February 19, 1907.*

VICE-PRESIDENT FAIRBANKS,
Washington, D. C.

[Resolution introduced by Rev. G. W. Cromer, D. D., of Osceola, Nebr.]

To the President of the United States Senate:

The Presbyterian Inter-Synodical Foreign Missionary Convention, Omaha, Nebr., February 19, 1907, representing fifteen synods of fifteen States, with 100 elected delegates from each synod, also 100 from the church at large, unanimously adopted the following resolution, with the request that it be read in the Senate of the United States before vote on case of REED SMOOT is taken:

Fully understanding the present teachings and practices of the Mormon organization, which in nowise differs from their past teachings and