SENATE.

MONDAY, *March 23, 1908.*

Rev. ULYSSES G. B. PIERCE, of the city of Washington, offered the following prayer:

*Now we would not have you ignorant concerning them that fall asleep; that ye sorrow not as they that have no hope. For God appointed us not unto wrath, but unto the obtaining of eternal life; that, whether we wake or sleep, we should live together with Him. For whether we live, we live unto the Lord; or whether we die, we die unto the Lord; whether we live therefore, or die, we are the Lord's. * * **

We beseech you, therefore, touching these things, that ye be not quickly shaken from your mind, nor yet be troubled. For I am persuaded that neither death nor life, nor angels nor principalities nor powers, nor things present nor things to come, nor height nor depth, nor any other creation, shall be able to separate us from the love of God our Father.

Again, our Father, with bowed heads and saddened hearts we come to acknowledge the mystery of Thy Providence and to discover anew that the way of man is not in himself alone; that it is not in man that walketh to direct his steps. But though we come to Thee with saddened hearts, we come to Thee with no fear, with no distrust, for Thou hast taught us that though we make our bed in the grave, yet Thou art there.

So for him whom Thou hast called to Thy higher service, our Father, we pray less than for the bereaved family and for ourselves, that something of his kindliness and energy may fall on us, to anoint us anew for Thy service, that Thy kingdom may come, and Thy holy will be done, now and forever more. Amen.

THE JOURNAL.

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

The VICE-PRESIDENT. The Journal stands approved.

DEATH OF SENATOR WILLIAM JAMES BRYAN.

Mr. CLAY. Mr. President, in the absence of the senior Senator from Florida [Mr. TALIAFERRO] it becomes my painful duty to announce to the Senate the death of WILLIAM JAMES BRYAN, the junior Senator from that State.

Mr. BRYAN died in this city at Providence Hospital at 8.30 a. m. yesterday of typhoid fever.

He was appointed by the governor of Florida on December 26 last to fill the unexpired term of the late Senator Mallory, ending March 4, 1909. He took his seat in this body January 9 and attended only a few sessions of the Senate before he was stricken down with typhoid fever, from which disease he never recovered. He was the youngest member of the Senate, not having reached his thirty-second year at the time of his death.

His friends thought he had before him a career of great usefulness. Had his life been spared, doubtless their most sanguine expectations would have been realized. He possessed a charming personality and made friends wherever he went. He was studious, industrious, and ambitious for his country's good. The people of Florida loved and trusted him and he loved them, and Florida to-day mourns his death. This is not the proper time to eulogize his memory.

At some future time and on an occasion appointed for that purpose the senior Senator from Florida will join with other friends of the deceased Senator in paying to his memory that tribute of affection, confidence, and esteem which I know is felt by all.

In order that the Senate may give expression to the feeling which I feel sure is entertained by all his associates, I ask for the immediate consideration and adoption of the resolutions which I send to the desk.

The VICE-PRESIDENT. The Senator from Georgia offers the following resolutions.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of the Hon. WILLIAM JAMES BRYAN, late a Senator from the State of Florida.

Resolved, That a committee of eight Senators be appointed by the Vice-President to take order for superintending the funeral of Mr. BRYAN.

Resolved, That as a further mark of respect his remains be removed from Washington to Jacksonville, Fla., for burial in charge of the Sergeant-at-Arms, attended by the committee, who shall have full power to carry these resolutions into effect.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from Georgia.

The resolutions were unanimously agreed to.

The VICE-PRESIDENT appointed as members of the committee under the second resolution Mr. TALIAFERRO, Mr. DANIEL, Mr. BACON, Mr. CLARK of Wyoming, Mr. SCOTT, Mr. CLAPP, Mr. STONE, and Mr. CARTER.

Mr. CLAY. Mr. President, I ask for the adoption of the additional resolution which I send to the desk.

The VICE-PRESIDENT. The Senator from Georgia offers an additional resolution, which will be read.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The VICE-PRESIDENT. The question is on agreeing to the resolution submitted by the Senator from Georgia.

The resolution was unanimously agreed to, and the Senate (at 12 o'clock and 6 minutes p. m.) adjourned until to-morrow, Tuesday, March 24, 1908, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 23, 1908.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., delivered the following prayer:

Almighty God, our heavenly Father, whose ways are past finding out, yet in whom we live and move and have our being, strengthen Thou our faith, increase our hopes, and renew our courage that we may go forward to the work Thou hast given us to do. Though our hearts be bowed in sorrow because a young life, full of hopes and promises, has been taken from the Congressional body, help us to realize that our lives are Thine, that Thy will is good will, that no harm can come to us in life or death, for Thou art love.

That nothing walks with aimless feet,
That not one life shall be destroyed,
Or cast as rubbish to the void,
When God hath made the pile complete.

So comfort, we beseech Thee, those who knew, loved, and admired him. Especially be a solace and comfort to the young wife, and bid her look forward with hope to a bright beyond, in Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, March 21, 1908, was read and approved.

RESIGNATION OF REPRESENTATIVE CHARLES E. LITTLEFIELD.

The SPEAKER. The Chair lays before the House the following communication:

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 21, 1908.

Hon. JOSEPH G. CANNON,
Speaker of the House of Representatives of the United States.

DEAR SIR: I hereby tender my resignation as a Member of the Sixtieth Congress from the Second District of Maine, to take effect on and after the 30th day of September, 1908.

I am, sir, with the highest regard,
Your most obedient servant, CHARLES E. LITTLEFIELD.

CORRECTION OF THE RECORD.

Mr. MANN. Mr. Speaker, I have a privileged resolution which I desire to present.

The SPEAKER. The gentleman from Illinois [Mr. MANN] rises to a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the CONGRESSIONAL RECORD of March 21, 1908, be corrected by striking out, on pages 3820, 3821, 3822, 3823, 3824, 3825, and 3826, the speech purporting to have been delivered by the gentleman from New York [Mr. SULZER], and inserting in lieu thereof the transcript of the notes of the official reporters of the House of the speech actually made, together with the copy of any record referred to in such speech.

Mr. MANN. Mr. Speaker, I do not desire to discuss the resolution at any length. I have the transcripts supposed to have been made by the official reporters of the House, corrected, I suppose, by the gentleman from New York [Mr. SULZER]. Where they are corrected they show for themselves more changes than there was substance in the original speech.

I desire to call attention to two or three particular parts of the speech as reported in the RECORD, as compared with the speech as delivered in the House. On page 3822 the gentleman is reported by the RECORD to have said:

But, Mr. Chairman, let us proceed. That is not all. Let us continue and confine ourselves to the record of Congress. I want the truth to be known by all men. On January 6, 1903, a bill to create the Department of Commerce and Labor was reported to the House by the gentleman from Illinois [Mr. MANN] and was called up for consideration on January 17, 1903. When the bill was being considered in the Committee of the Whole House on the state of the Union on the 17th of January, 1903.

What the gentleman actually said was:

But let me proceed. That is not all. The bill creating the Department of Commerce and Labor was reported to the House by the gentleman from Iowa and was called up by him on January 17, 1903. When the bill was being considered in the Whole House on the state of the Union on the 17th of January, 1903.

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On page 3822 the gentleman from New York is reported to have said:

Now, Mr. Chairman, when the bill to create the Bureau of Commerce and Labor was reported from the committee of the gentleman from Illinois [Mr. MANN] it was not my bill first introduced, nor the bill of the gentleman from Illinois, but there was a small provision in the bill for the establishment of a Bureau of Corporations, and it was as follows. I will read it—

Reading what was then section 7 of the bill:

"SEC. 7. That there shall be in the Department of Commerce and Labor a bureau, to be called the 'Bureau of Corporations,' and the chief of said bureau shall receive a salary of $4,000 per annum.

Then follows the remainder of that section, which I will not read.

Mr. Chairman, it is apparent from the reading of the RECORD that my provision for a Bureau of Corporations was intended to accomplish something for good, but the provision in the bill reported by the committee was a mere sop, and if it had become a law it would have accomplished practically nothing.

What the gentleman really said was:

Now, Mr. Chairman and gentlemen, when that bill creating the Department of Commerce and Labor was reported from the committee by the gentleman from Illinois, there was no provision in the bill for the establishment of a Bureau of Corporations—absolutely no provision.

And, again, the gentleman is reported in the RECORD to have said, on page 3826:

And now, Mr. Chairman, it appears that on the final roll call in this House the gentleman from Illinois [Mr. MANN] and every Republican on that side of the House voted against my proposition to establish a Bureau of Corporations that would really accomplish some good. And I submit that the gentleman from Illinois [Mr. MANN], or, for that matter, any other Republican in this House, can not now take credit for the creation of this Bureau of Corporations. But let us proceed by the record. After the bill passed the House it went to the Senate and was referred, without debate, to the Senate committee. A few days afterwards it was reported to the Senate and a conference was asked and conference committee appointed, and then the bill came back to the House, and a conference committee was appointed on the part of the House, and the bill then went to conference. In the conference committee the bill was perfected, and the provision for the Bureau of Corporations greatly enlarged, although it did not go as far as my provision. The conferees took out of my provision certain parts of it and ignored the other parts. The parts they took out and incorporated in the bill made the bill very much better.

What the gentleman actually said was:

There was a roll call on my demand. On that motion the RECORD here shows that the gentleman from Illinois voted against it, and every Republican on that side of the House at that time voted against a motion to create the Bureau of Corporations, and every Democrat on this side of this House voted in favor of it.

That appears in the RECORD, on page 929, of January 17, 1903.

Now, Mr. Chairman, the bill passed the House without any Bureau of Corporations provided for in it, a provision which I strenuously struggled for for a year. It went to the Senate. When it reached the other body the Senator from Ohio [Mr. Hanna] moved to commit the bill to the committee. It went to his committee. It was reported out of his committee. There was absolutely no debate on the question. He asked for a conference, and the Senate ordered a conference. It came over to the House, and the House agreed to a conference, and there was one. In that conference, although this Bureau of Corporations was not before the conference at all, the conferees put into the bill, in violation of the rules of the Senate and in violation of the rules of the House, this provision from my bill to create a Bureau of Corporations. But they left out practically the best of it. They only put in a part. I could not understand it at the time. I do not really understand it to-day, but there was a reason why the conferees on the part of the House and the conferees on the part of the Senate violated the rules of Congress and put that provision for this Bureau of Corporations into that bill.

Now, it was that portion of the gentleman's speech which I have read which was the real substance of his speech. He has absolutely changed the record, or some one has, in the speech as reported in the CONGRESSIONAL RECORD, to show that where he said "no" he now says "yea," and where he said "yea" he now says "nay." I do not desire to be captious; I do not believe in beating the air. It is immaterial to me what kind of a speech the gentleman puts into the RECORD, but I do not desire to answer speeches of the gentleman and then find when the speech is printed in the RECORD it is entirely different. The gentleman had unanimous consent. He said:

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing in my speech this record that I have referred to.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The only authority the gentleman from New York had to change his remarks was by inserting the record. But he was not satisfied with making the changes which have been referred to. The gentleman from New York—and I have no disposition to criticise him for that specially—inserted various other remarks in the RECORD, on paper which is practically the paper used by the official reporters, but it was not furnished by the official reporters, and inserted, with that degree of candor which compels admiration, in his own handwriting, in this imaginary speech of his, "Applause on the Democratic side." [Laughter.]

That occurs, Mr. Speaker, more than once, in his own handwriting: "Applause on the Democratic side."

That appears in the imaginary speech, or perhaps a speech delivered by the gentleman to his stenographer. Now I should like to yield the gentleman some time if he desires it.

Mr. SULZER. I will speak in my own time.

Mr. MANN. Does the gentleman desire any time?

Mr. SULZER. Not from you.

Mr. MANN. Then, Mr. Speaker, I move the previous question on the resolution. If the gentleman desires time, I am perfectly willing to yield to him.

Mr. SULZER. I do not know that the gentleman controls anybody's time but his own.

The SPEAKER. The gentleman from Illinois is entitled to an hour and can yield time to the gentleman from New York if the gentleman will accept it.

Mr. SULZER. When the gentleman concludes I want some time.

The SPEAKER. Well, but the gentleman from Illinois has the floor and has not yielded it.

Mr. SULZER. Very well; let him conclude.

The SPEAKER. The gentleman from Illinois has the floor. He can yield it absolutely, or he can move the previous question.

Mr. MANN. I yield to the gentleman one-half of my time, one-half hour.

Mr. BARTLETT of Georgia. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT of Georgia. I desire to raise a question whether, by our parliamentary law, this is a question of privilege in such a way as to entitle the gentleman from Illinois to the floor as a matter of privilege; and I call the attention of the House and of the Chair to page 439 of the Manual, which declares:

A resolution to expunge a speech from the RECORD must be entertained as a matter of privilege. This does not necessarily entitle the Member implicated to the floor on a question of personal privilege.

I have no desire to cut anybody off——

The SPEAKER. Will the gentleman from Georgia refer the Chair to the page from the Manual?

Mr. BARTLETT of Georgia. Page 439.

The SPEAKER. Well, that reads as follows:

A resolution to expunge a speech from the RECORD must be entertained as a matter of privilege—

That is this case.

but this does not necessarily entitle the Member implicated—

Mr. SULZER—

to the floor on a question of personal privilege.

Mr. BARTLETT of Georgia. Will the Speaker read the section just below that?

The SPEAKER. It reads—

A resolution to omit from the CONGRESSIONAL RECORD certain remarks declared out of order does not present a question of privilege.

Which is not this case.

Mr. BARTLETT of Georgia. But it is similar to this case. It proposes to strike from the RECORD matters that were not delivered, and therefore not in order.

The SPEAKER. This would apply, and no doubt did, to omitting from the RECORD certain remarks declared out of order. That was before the remarks had gone in—before the RECORD had appeared.

Mr. BARTLETT of Georgia. This is a motion to strike from the RECORD certain remarks.

The SPEAKER. Precisely.

Mr. BARTLETT of Georgia. Then, Mr. Speaker, I ask unanimous consent that the gentleman from New York may be heard.

The SPEAKER. But the gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. Mr. Speaker, I have no desire to take any advantage of the gentleman from New York in any way whatever. Therefore I reserve the balance of my time, and let the gentleman take the floor in his own right.

The SPEAKER. The gentleman reserves the balance of his time. The gentleman from New York.

Mr. SULZER. Mr. Speaker, it is not my purpose to allow this discussion to descend to a personal controversy between the gentleman from Illinois [Mr. MANN] and myself. It is a subject that rises very much above that; it is a matter of moment to the people of the entire country, and it is my purpose to see to it that the people of the country are not deceived by the gentleman from Illinois.

Now, sir, in answer to the gentleman from Georgia [Mr. HARDWICK], last Friday the gentleman from Illinois said on the floor of this House that he was the author of the law to create the Bureau of Corporations; that he originated the "idea;"

that he claimed the credit for it, and that it was one of the most laudable laws ever placed on the statute books by Congress.

That is not entirely true, and at the time I called his attention to the error and to the fact that I was the author of the law to create the Bureau of Corporations, that I originated it, and I said to him, sitting in front of his desk, that I would bet him a thousand dollars that I originated it, and introduced the first bill to bring it about, and that I would leave the question for settlement to the President. He declined to take the bet. [Laughter.] And yet when I asked him for five minutes' time to correct the error he had made, he declined to give me five minutes, although he controlled the time. I then asked for unanimous consent to speak for five minutes in order to tell the truth about how this Bureau of Corporations originated, and, to my surprise, the gentleman from Illinois rose up on his hind heels and objected. I did not think that was fair treatment, and I told him so at the time.

During that day it was impossible for me to get time to speak on the matter, but last Saturday I secured time, and I spoke on it and I quoted from the RECORD, telling the truth about the matter, from its inception down to its final enactment into law, and I think I demonstrated most conclusively to every Member of this House that the gentleman from Illinois [Mr. MANN] did not originate the "idea" of this Bureau of Corporations; that the gentleman from Illinois was not the author of this law, and that the gentleman from Illinois had very little to do with it.

Now, Mr. Speaker, I did not have very much time last Saturday to go into this matter at length, because the hour was growing late and I had been yielded only fifteen minutes. At the conclusion of my speech I asked unanimous consent to extend my remarks by placing in the RECORD, as a part of my speech, the previous RECORD of Congress of 1903, showing conclusively who was the author of this provision for the establishment of the Bureau of Corporations. It is a matter of history, it is a matter of record. It is not only in the CONGRESSIONAL RECORD of 1903, but it is in the book published by the Government and known as "The Department of Commerce and Labor Organization and Law." Any Member can get this book from the Congressional Library. According to this RECORD, it appears conclusively that I introduced the first bill ever introduced in Congress creating a Department of Commerce containing a provision to establish this Bureau of Corporations.

Now, sir, the RECORD of Congress shows that I introduced that bill on the 2d day of May, 1902, in the first session of the Fifty-seventh Congress. I appeared before the committee and other citizens appeared before the committee and argued in favor of my bill, and especially in favor of creating this Bureau of Corporations. The gentleman from Illinois was a member of the committee, and he heard the arguments and asked questions of me and of these gentlemen, all of which is a matter of record. The first session of the Fifty-seventh Congress adjourned; nothing was done. The bill was left pending in the Committee on Interstate and Foreign Commerce. The second session of the Fifty-seventh Congress convened on the first Monday of December, 1902, and on the 12th day of December, 1902, the gentleman from Illinois introduced a bill for the establishment of a Department of Commerce and Labor, and in that bill he had one little provision for the establishment of a Bureau of Corporations, but it was absolutely impotent, so far as any power was concerned, and practically amounted to nothing. I appeared before the committee again and suggested the advisability of substituting my provision for the provision in the gentleman's bill.

However, a bill was reported in January, 1903, and, as I said on Saturday, I thought the bill was reported by the gentleman from Iowa [Mr. HEPBURN], the distinguished chairman of the committee, but when I looked up the records I found the bill was reported at the request of the gentleman from Iowa [Mr. HEPBURN] by the gentleman from Illinois [Mr. MANN], and I put that in the RECORD, giving the gentleman from Illinois [Mr. MANN] credit for that, although I had not given him the credit for it in my speech on Saturday. That was honest on my part; it shows how fair I wanted to be to the gentleman from Illinois [laughter on the Republican side], and how unfair the gentleman from Illinois had been in the whole matter to me. Now, when the bill came up in the House, in the Committee of the Whole, I offered, as an amendment, my provision for the establishment of this Bureau of Corporations, and the question was debated, the gentleman from Illinois [Mr. MANN] taking a leading part in the debate, as the RECORD shows.

Finally it came to a vote in the Committee of the Whole. The gentleman from Illinois was a teller on his side, he being against this Bureau of Corporations, and I was a teller on my side, being in favor of this Bureau of Corporations; and the vote shows that the gentleman, being in the majority, had a few more votes than I had, and the amendment went out in the Committee of the Whole, every Democrat voting for it and every Republican voting against it. Then, when the question came up in the House, the leader of the minority, Mr. Richardson, of Tennessee, at my suggestion and at the suggestion of other Members on this side of the House, offered my identical amendment for this Bureau of Corporations, on a motion to recommit the bill with instructions to amend accordingly, and on that motion the yeas and nays were demanded by myself, and on the roll call the RECORD shows that I was in favor of it and the gentleman from Illinois voted against it, and the RECORD also shows that every Republican in the House at the time voted against this Bureau of Corporations and every Democrat voted for it.

Then the bill went over to the Senate. There was no debate on it in the Senate. It was referred in a perfunctory way to the committee and reported back from the committee and went to conference. The conferees met, and in that conference they adopted part of my provision and put it in the bill, but I want to say that the best part of my provision for this Bureau of Corporations was not put in the bill, and if it had been it would have been a very much better bill and it would have been a very much better Bureau of Corporations, because my amendment provided—and any Member here who will read it will see for himself—that this information when collated by these investigations of the criminal trusts of the country should be furnished to the Congress as well as to the President of the United States. [Applause on the Democratic side.]

That is the point I wanted to make the other day when this resolution of the gentleman from Georgia [Mr. HARDWICK] was pending in this House and the gentleman from Illinois [Mr. MANN] shut me out and prevented me from doing so. But there was a lot of other matter left out, and finally they did agree in conference upon the establishment of a Bureau of Corporations, and as it was agreed to it was reported by the conferees and printed in the RECORD, and if any Member or anybody in this country will read that conference report and will read my original provision for the establishment of this Bureau of Corporations he will see that the conferees took out of my provision practically what is in the law to-day, but did not take out enough to make the law what the law ought to be in order to get the data regarding violations of the law by the criminal trusts of our country, so that the President could act, so that the Attorney-General could act, so that Congress could act in case additional legislation was needed.

Now, Mr. Speaker, that is practically the story of the creation of this Bureau of Corporations, and I submit to any impartial Member of this House whether the gentleman from Illinois [Mr. MANN] was the "author" of the law; whether he originated the "idea" or whether I originated the idea; and I submit that question to the people of this country, and if the gentleman wants additional information in regard to it, I would commend him to the President of the United States, who knows the truth about what the conferees were finally compelled to do after telegrams were sent to members of the Senate saying no more antitrust legislation was wanted. [Applause on the Democratic side.]

Now, Mr. Speaker, I think it is an injustice to a Member when he has unanimous consent to extend his remarks, and in the extension tells the truth, and the whole truth, and nothing but the truth, regarding a matter under consideration, for a Republican Member who has been "caught with the goods" to come into the House, and because he is in the majority get another Republican Member to offer a resolution to strike out of the RECORD a Democratic speech because the Democratic speech tells the truth and the truth happens to hurt the Republican party. [Applause on the Democratic side.]

Mr. Speaker, never since I have been a Member of this House have I asked for recognition on the ground of personal privilege. I have never asked for anything but my rights, and I hardly get them; but I say to you, and I serve notice on the Republicans, that if they adopt this resolution to strike out of the RECORD a part of my speech, they will hear more from me from now until the close of this Congress. [Laughter.] Do not be in a hurry, my friends. The Republican party is the opportunist party of the country. Whenever a Democrat or the Democratic party originates anything that is good the Republican party comes along a few years afterwards and seizes it and claims it as its own. Republicans have been doing that; the Republican party has been doing that for years; and it is time that we Democrats who have to take the Republicans by the nape of the neck every now and then to compel them to respond to the demands of the people of the

country, should tell the truth about it, and when we do get the Republicans to respond and enact the legislation we originate, that we initiate, we do not intend that you shall steal the credit and claim the glory or get away with the goods. [Laughter and applause on the Democratic side.]

Mr. Speaker, I want to say to the gentleman from Illinois that if there is anything in my speech in the RECORD that reflects on him personally I will consent to strike it out. If there is anything in my speech that is not strictly in accordance with the facts relating to the history of the legislation to create the Bureau of Corporations I will consent to strike it out; but if you ruthlessly strike out a part of my speech by adopting the resolution just offered, because you have the power and numbers to do so, I will get it back in the RECORD, and I will get it back in the RECORD in a way that will do the Republicans more harm before the people of the country than does the present RECORD.

As I said in the beginning, I repeat now, that I do not intend to allow this question to sink into a personal controversy between the gentleman from Illinois and myself. It rises above that. This is a question which I have placed right before the people of the country and right before the Members of this House. I stand on the RECORD. I abide by the RECORD, and I say to the gentleman from Illinois that he barks and gets bitten and then whines; and I am surprised that the gentleman has appeared to-day in his mean, little, pettifogging way, whining and squealing—because he deceived the House and he deceived the country the other day when he said he originated the "idea;" that he was the author of the "law" to create the Bureau of Corporations. His claim was preposterous and ridiculous, and nobody knew it better than the gentleman from Illinois when he said it; but he did it deliberately, and when he was told he was deceiving the House he refused to give me permission to reply to correct the misstatement.

The SPEAKER. The gentleman from New York will suspend.

Mr. SULZER. Well, I have. Hit the gavel again if you want to.

The SPEAKER. The gentleman will suspend. The gentleman is out of order in his remarks, and it is the duty of the Chair to so state to the gentleman.

Mr. SULZER. Is my time up, Mr. Speaker?

The SPEAKER. And the gentleman will proceed in order.

Mr. SULZER. Exactly. I will proceed in order. Now, Mr. Speaker, I want to ask how much time I have remaining?

The SPEAKER. The gentleman has forty-three minutes.

Mr. SULZER. Then, Mr. Speaker, for fear that the Republicans may adopt this resolution and strike out my speech, I will send to the Clerk's desk and ask to have those parts read in my time, or if they will allow the RECORD to stand as it is, I will close and say nothing further. I ask the Clerk to read all of the speech to which exception is made. What I mean by that is all that part of the RECORD to which exception is made in the pending resolution.

Mr. PAYNE. Mr. Speaker, I understand the request of the gentleman is to print in the RECORD now that which the gentleman from Illinois moves to strike out.

The SPEAKER. The Chair is trying to ascertain.

Mr. SULZER. I will read it, Mr. Speaker.

The SPEAKER. The gentleman will indicate what it is. Does the gentleman propose to put in at this time, now, what the gentleman from Illinois proposes to strike out?

Mr. SULZER. Not exactly.

The SPEAKER. Please indicate.

Mr. SULZER. For fear the Clerk might read slowly, and I can read pretty fast, I will read it myself.

Mr. SULZER (reading).

When the gentleman had finished his speech I requested him to yield me five minutes—

Mr. PAYNE. The gentleman can not read and put in the RECORD that which the House is now deliberating upon striking out.

Mr. SULZER. The gentleman does not know whether I am going to put that identical matter in the RECORD or not. The gentleman can not tell what I am going to put in the RECORD until I read it.

Mr. PAYNE. Mr. Speaker, I understand so far as he has read a portion of that which the gentleman from Illinois moves to strike out now, so judging from that I think even the gentleman from New York understands what the proposition does.

Mr. SULZER. I hope the time used by the gentleman from New York is not coming out of my time.

The SPEAKER. The Chair desires to understand what the point is that the gentleman from New York [Mr. PAYNE] makes, if any. [Laughter.]

Mr. PAYNE. I make the point that this is not germane to the resolution before the House.

The SPEAKER. Does the gentleman make the point that the gentleman from New York [Mr. SULZER] must confine himself to the discussion of the matter before the House?

Mr. PAYNE. Yes; my point was that what he is proposing to read is not germane to the question before the House and not in order, and that he should confine his remarks to the question before the House.

The SPEAKER. So far as the Chair has heard the gentleman from New York [Mr. SULZER], considering the point that the gentleman makes, as the Chair understands his point, the gentleman is not devoting his remarks to the resolution before the House. The Chair will say to the gentleman from New York [Mr. SULZER] that in the opinion of the Chair the point is well taken, and that the gentleman from New York [Mr. SULZER] under the rules of the House should confine himself to the discussion of the resolution pending.

Mr. SULZER. Exactly. That is what I intend to do, Mr. Speaker. I trust the gentleman from New York [Mr. PAYNE] will not interrupt me again. I have only forty-three minutes. [Laughter.]

The SPEAKER. The gentleman will proceed in order.

Mr. SULZER. Now, Mr. Speaker, the gentleman from Illinois [Mr. MANN], like a pettifogging lawyer, has dodged all around this question——

The SPEAKER. The Chair desires to say to the gentleman from New York that it is not in order to use such terms——

Mr. SULZER. I did not call him any names. I said like——

The SPEAKER. Toward any Member of the House, and it is the duty of the Chair to call the gentleman to order. The gentleman will proceed in order under the rules of the House.

Mr. SULZER. The gentleman from Illinois [Mr. MANN], as I was saying [laughter], carefully ignores the real question at issue, both in his answer to my speech the other day and in his supplication to-day. He did not dare assert again, in answer to my speech the other day (Saturday), that he was the author of the Bureau of Corporations. He did not again claim that he originated the "idea." He does not dare claim that now. He leaves that all out now. But he wants to strike out of the RECORD the part of my speech which tells the exact facts regarding the matter, and does not talk about the real issue. Did he, or did he not, originate the "idea" of the Bureau of Corporations? That is the question before the House; that is the question before the country. The question is whether he originated the "idea," as he claimed originally, or whether he did not. And I think I have demonstrated most conclusively that he did not.

Mr. MACON. Read the parts he wants you to strike out.

Mr. SULZER. As I said in my speech the other day, that is the RECORD all right, so far as this Bureau of Corporations is concerned. It is in the CONGRESSIONAL RECORD of 1903, and I put it in the RECORD again Saturday to refresh the memory of the gentleman from Illinois. And it appears at that time, in 1903, that the gentleman debated the proposition to create a Bureau of Corporations, and was very much opposed to it. When the question came up in the House in 1903, he voted against my amendment for a Bureau of Corporations—that could accomplish something. He also voted against the Bureau of Corporations, as appears by the RECORD, when the bill was on its final passage, and the then Democratic leader of the House [Mr. Richardson] moved to recommit the bill to the committee with instructions to amend by adopting my provision for the Bureau of Corporations. It was the same identical amendment, as the RECORD will show. That question was voted upon in the House and the gentleman from Illinois [Mr. MANN] voted against it.

Now, sir, let us see what else the gentleman from Illinois now objects to. He can not object to that. That is a matter of record. The RECORD speaks for itself, and I appeal to the RECORD. And I submit that the gentleman from Illinois [Mr. MANN], or, for that matter, any other Republican in this House, can not now take credit for the creation of this Bureau of Corporations. But let us proceed by the RECORD. After the bill passed the House it went to the Senate and was referred, without debate, to the Senate committee. A few days later it was reported to the Senate and a conference was asked and a conference committee appointed, and then the bill came back to the House, and a conference committee was appointed on the part of the House, and the bill then went to conference. In the conference committee the bill was perfected and the provision for the Bureau of Corporations greatly enlarged, although it did not go as far as my provision went, by a long way. Now, I repeat that. That is the fact. That is the truth. That

is the record. The conferees at that time, in 1903, took out of my provision for this Bureau certain parts of it and ignored other parts—the best and most vital parts. The parts they took out and incorporated in the bill made the bill very much better. But if they had adopted all of the provisions in my bill for this Bureau of Corporations, it would have been a very much better bill.

Now, sir, how did the conferees at that time come to do this? That is the question. As I said the other morning, and I will repeat, if the conferees would tell the truth about this matter, the country would know that the President of the United States had something to do with this matter, and for that reason in my remarks on Saturday I quoted from the President's letter of acceptance. Mr. Chairman, I am glad to enlighten the gentleman from Illinois [Mr. MANN] again at this time about this matter. I wanted to do it Saturday, and he declined to let me do so then. I think his memory serves him quite well, but I think when he made the misstatement he did he thought that somebody else's memory was not quite so good, and that is the reason he indulged in a speech so wide of the real facts of the case.

But I want to be charitable to the gentleman from Illinois. I do not want to be cruel. If I wanted to be real mean, I could be; but, in all fairness, it seems to me that when a Democrat who has been working as hard and as long and as faithfully in the minority as I have, trying, as I have been trying, for nearly fourteen years as a Member of this House to do something good, to accomplish something for the benefit of all the people—and doing it in the face of intense Republican opposition—and then when I have finally accomplished something good, something that a Republican President sees fit to commend in his letter of acceptance, it seems to me, I say, that it is cruel for a Republican Member to attempt to take away the credit; and I submit to the impartial judgment of the country that any Republican who does do it is small indeed, and stoops to the very quintessence of partisan meanness.

Mr. Speaker, as I said in my speech the other day, I want to repeat now, and I hope that it will settle this question of the "idea" of the Bureau of Corporations for all time to come, so far as the gentleman from Illinois is concerned and so far as this question is concerned, that the gentleman did not originate this idea of the Bureau of Corporations. I claim, and the RECORD sustains me, that this was my handiwork, my idea, and not the idea of the gentleman from Illinois. My bill was introduced on the 2d of May, 1902. It was referred by the Speaker to the Committee on Interstate and Foreign Commerce. There were hearings on the bill before the committee in the first session of the Fifty-seventh Congress, and I appeared before the committee and argued in favor of my bill, and especially in favor of the provision in my bill for this Bureau of Corporations.

That was the first time the "idea" for such a bureau ever was introduced by a bill in this House. In those hearings I stated to the committee that I hoped it would report my bill, but that if it reported another bill I indulged the expectation that the committee would incorporate in the bill the provision in my bill to create this Bureau of Corporations. The gentleman from Illinois was present at these hearings and heard all that was said. He was listening, and he is a good listener. Other gentlemen also appeared before the committee in favor of my bill, and especially in favor of the provision creating the Bureau of Corporations. I reiterate now all that I said at that time. Let the RECORD of Congress speak for itself. It tells the story.

Now, Mr. Chairman, that is the record and the history of this Bureau of Corporations.

The first session of the Fifty-seventh Congress adjourned. I want to say, gentlemen, that at the beginning of the second session of the Fifty-seventh Congress the people of the country who favored this legislation, in order to find out whether the criminal trusts of the country were violating the laws or not, came to Washington and urged the committee to report my bill, or especially a bill with this provision of mine in it, for this Bureau of Corporations. Now, I submit to the candid judgment of this House and to the country the question whether the gentleman from Illinois or myself originated the "idea" of this provision to create the Bureau of Corporations; and I submit to the fairness of the membership of this House and to the country the difference between the provision in the bill of the gentleman from Illinois, introduced December 12, 1902, and the provision in my bill, introduced May 2, 1902, for the establishment of this Bureau of Corporations. There is as much difference between the two provisions as there is between day and night.

Now, where did the gentleman from Illinois get the "idea" of the Bureau of Corporations? It must be apparent to anyone who studies the history of the legislation on the matter that he got his "idea" from me and from my bill. He has talked twice on the proposition within the past few days and he has not denied that he got the "idea" from me. He never originated the "idea," and he has no right to stand on the floor of this House and claim the credit. I claim that I am entitled to the credit, if anyone is, because I am the author of it and introduced the first bill; and I, and not the gentleman from Illinois, according to the RECORD, was the author of this Bureau of Corporations, and originated the "idea."

Now, sir, that I have read substantially what the gentleman from Illinois takes exception to and what he wants stricken out of the RECORD, I am satisfied to let the matter stand in the RECORD as it is. I am content to let this matter go before the people of this country upon the facts and upon the RECORD, and I undertake to say that there is not a man in all this land who looks into this question and studies it from its inception to its consummation who will not agree with me that the gentleman from Illinois was not the author of, and did not originate the "idea" of the law for the Bureau of Corporations, and that he is entitled to no credit for the "idea." And that is what I want to get before the people of the country. And now it goes before the people of the country, and I want to say again to the gentleman from Illinois that the trouble with him is that as a Member of this House he is the mere alter ego of the Speaker; he carries the orders from the Speaker's room to the floor of the House, and is always ready to get up and object to any bill that some Member thinks he is going to get through by unanimous consent. The gentleman from Illinois [Mr. MANN] stands before the membership of this House as the man who knows it all, claims it all, and wants it all. [Laughter on the Democratic side.]

Mr. MANN. Mr. Speaker, I ask to have the resolution reported again in my time.

The SPEAKER. The Clerk will report the resolution in the time of the gentleman from Illinois.

The Clerk read as follows:

Resolved, That the CONGRESSIONAL RECORD of March 21, 1908, be corrected by striking out, on pages 3820, 3821, 3822, 3823, 3824, 3825, and 3826, the speech purporting to have been delivered by the gentleman from New York [Mr. SULZER] and inserting in lieu thereof the transcript of the notes of the official reporters of the House of the speech actually made, together with the copy of any record referred to in such speech.

Mr. MANN. Mr. Speaker, I do not propose at this time to discuss the matter as to who originated the Department of Commerce and Labor or any Bureau of it. That is not the question before the House. All I want and ask is that the CONGRESSIONAL RECORD, purporting to give the substance of a debate in this House, shall give it substantially as it was delivered in the House, and that it shall not be absolutely changed and falsified in a way to make it appear that something entirely different was said and done in the House from what actually was said and done.

The resolution proposes to strike out what is now in the RECORD and to insert what the gentleman from New York said, with the copies of the records that he referred to, and which he had consent to insert in the RECORD.

I ask for the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. SULZER. Division!

The House proceeded to divide.

Pending the division—

Mr. SULZER. In order to save time, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 151, nays 92, answering "present" 24, not voting 121, as follows:

YEAS—151.

Alexander, N. Y.	Campbell	Denby	Goebel
Allen	Capron	Diekema	Graff
Andrus	Caulfield	Douglas	Graham
Anthony	Chaney	Driscoll	Greene
Barclay	Chapman	Dwight	Haggott
Bates	Cocks, N. Y.	Edwards, Ky.	Hall
Beale, Pa.	Conner	Ellis, Mo.	Hamilton, Mich.
Bede	Cook, Pa.	Ellis, Oreg.	Hammond
Bennet, N. Y.	Cooper, Tex.	Englebright	Harding
Bennett, Ky.	Cousins	Esch	Haskins
Birdsall	Crumpacker	Fairchild	Hawley
Bonynge	Currier	Foss	Hayes
Boutell	Cushman	Foulkrod	Henry, Conn.
Boyd	Dalzell	French	Hepburn
Bradley	Darragh	Fuller	Higgins
Brick	Davis, Minn.	Gaines, W. Va.	Hinshaw
Brownlow	Dawes	Gilhams	Holliday
Burton, Ohio	Dawson	Gillett	Howell, N. J.

Howell, Utah.	Lindbergh	Mudd	Stafford
Howland	Littlefield	Needham	Steenerson
Hubbard, Iowa	Longworth	Nelson	Stevens, Minn.
Hubbard, W. Va.	Loud	Norris	Sturgiss
Huff	Loudenslager	Nye	Sulloway
Hull, Iowa	Lowden	Olcott	Tawney
James, Addison D.	McCall	Olmsted	Taylor, Ohio
Jones, Wash.	McGavin	Parker, S. Dak.	Thistlewood
Keifer	McGuire	Payne	Thomas, Ohio
Kennedy, Ohio	McKinney	Perkins	Tirrell
Kinkaid	McLachlan, Cal.	Pollard	Townsend
Knapp	McLaughlin, Mich.	Pray	Volstead
Knowland	Madden	Reeder	Vreeland
Küstermann	Madison	Rodenberg	Wanger
Lafean	Malby	Scott	Washburn
Landis	Marshall	Slemp	Weeks
Langley	Mondell	Smith, Cal.	Wheeler
Laning	Moore, Pa.	Smith, Iowa	Wilson, Ill.
Law	Morse	Southwick	Woodyard
Lawrence	Mouser	Sperry	

NAYS—92.

Adair	Denver	Henry, Tex.	Randell, Tex.
Adamson	Edwards, Ga.	Hitchcock	Ransdell, La.
Aiken	Ellerbe	Hobson	Rauch
Ansberry	Favrot	Houston	Reid
Ashbrook	Ferris	Hughes, N. J.	Rhinock
Bartlett, Nev.	Finley	Johnson, Ky.	Richardson
Beall, Tex.	Flood	Johnson, S. C.	Riordan
Bell, Ga.	Floyd	Jones, Va.	Rothermel
Booher	Fornes	Kimball	Rucker
Brodhead	Fulton	Kipp	Russell, Mo.
Burgess	Garrett	Kitchin, Claude	Ryan
Burnett	Gill	Lamar, Mo.	Sheppard
Byrd	Godwin	Lamb	Sims
Candler	Gordon	Lee	Smith, Mo.
Carlin	Goulden	Lever	Smith, Tex.
Carter	Granger	Lewis	Stanley
Clark, Fla.	Hackett	Lloyd	Sulzer
Clark, Mo.	Hamill	Maynard	Talbott
Clayton	Hamlin	Moore, Tex.	Tou Velle
Cockran	Hardy	Murphy	Weisse
Cox, Ind.	Harrison	Nicholls	Wiley
Cravens	Hay	O'Connell	Willett
Crawford	Helm	Pou	Wolf

ANSWERING "PRESENT"—24.

Bartlett, Ga.	Gillespie	McLain	Russell, Tex.
Bowers	Gregg	Mann	Small
Burleson	Hamilton, Iowa	Overstreet	Smith, Mich.
Foster, Ind.	Hull, Tenn.	Padgett	Spight
Gaines, Tenn.	Humphreys, Miss.	Page	Stephens, Tex.
Garner	Jenkins	Pujo	Webb

NOT VOTING—121.

Acheson	Dunwell	Kitchin, Wm. W.	Pratt
Alexander, Mo.	Durey	Knopf	Prince
Ames	Fassett	Lamar, Fla.	Rainey
Bannon	Fitzgerald	Lassiter	Reynolds
Barchfeld	Focht	Leake	Roberts
Bartholdt	Fordney	Legare	Robinson
Bingham	Foster, Ill.	Lenahan	Sabath
Brantley	Foster, Vt.	Lilley	Saunders
Broussard	Fowler	Lindsay	Shackleford
Brumm	Gardner, Mass.	Livingston	Sherley
Brundidge	Gardner, Mich.	Lorimer	Sherman
Burke	Gardner, N. J.	Lovering	Sherwood
Burleigh	Glass	McCreary	Slayden
Burton, Del.	Goldfogle	McDermott	Snapp
Butler	Griggs	McHenry	Sparkman
Calder	Gronna	McKinlay, Cal.	Sterling
Calderhead	Hackney	McKinley, Ill.	Taylor, Ala.
Caldwell	Hale	McMillan	Thomas, N. C.
Cary	Hardwick	McMorran	Underwood
Cole	Haugen	Macon	Waldo
Cook, Colo.	Heflin	Miller	Wallace
Cooper, Pa.	Hill, Conn.	Moon, Pa.	Watkins
Cooper, Wis.	Hill, Miss.	Moon, Tenn.	Watson
Coudrey	Howard	Murdock	Weems
Craig	Hughes, W. Va.	Parker, N. J.	Williams
Davenport	Humphrey, Wash.	Parsons	Wilson, Pa.
Davey, La.	Jackson	Patterson	Wood
Davidson	James, Ollie M.	Pearre	Young
De Armond	Kahn	Peters	
Dixon	Keliher	Porter	
Draper	Kennedy, Iowa	Powers	

So the resolution was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SHERMAN with Mr. RIORDAN.

Mr. KNOPF with Mr. WEISSE.

Until further notice:

Mr. HILL of Connecticut with Mr. HOWARD.

Mr. FOSTER of Indiana with Mr. BRANTLEY.

Mr. DUNWELL with Mr. HEFLIN.

Mr. OVERSTREET with Mr. DIXON.

For this day:

Mr. BURLEIGH with Mr. CRAIG.

Mr. BURTON of Delaware with Mr. DAVENPORT.

Mr. CALDER with Mr. DAVEY of Louisiana.

Mr. CALDERHEAD with Mr. FITZGERALD.

Mr. CARY with Mr. GLASS.

Mr. COLE with Mr. GOLDFOGLE.

Mr. COOK of Colorado with Mr. GRIGGS.

Mr. COOPER of Wisconsin with Mr. HACKNEY.

Mr. DAVIDSON with Mr. HILL of Mississippi.

Mr. FOCHT with Mr. HAMILTON of Iowa.

Mr. FOSTER of Vermont with Mr. OLLIE M. JAMES.

Mr. FOWLER with Mr. KELIHER.

Mr. GARDNER of Massachusetts with Mr. WILLIAM W. KITCHIN.

Mr. GARDNER of Michigan with Mr. LAMAR of Florida.

Mr. DUREY with Mr. LASSITER.

Mr. GRONNA with Mr. LEAKE.

Mr. HALE with Mr. LEGARE.

Mr. HAUGEN with Mr. LINDSAY.

Mr. HUGHES of West Virginia with Mr. LIVINGSTON.

Mr. LOVERING with Mr. MCHENRY.

Mr. MCCREARY with Mr. MACON.

Mr. MCKINLAY of California with Mr. MOON of Tennessee.

Mr. MCKINLEY of Illinois with Mr. PATTERSON.

Mr. MCMILLAN with Mr. RUSSELL of Texas.

Mr. MCMORRAN with Mr. SABATH.

Mr. MILLER with Mr. SHACKLEFORD.

Mr. MOON of Pennsylvania with Mr. SAUNDERS.

Mr. MURDOCK with Mr. SHERLEY.

Mr. PARSONS with Mr. SHERWOOD.

Mr. PRINCE with Mr. SLAYDEN.

Mr. REYNOLDS with Mr. SMALL.

Mr. ROBERTS with Mr. SPARKMAN.

Mr. SNAPP with Mr. TAYLOR of Alabama.

Mr. WATSON with Mr. WATKINS.

Mr. WEEMS with Mr. THOMAS of North Carolina.

Mr. WOOD with Mr. WALLACE.

Mr. BRUMM with Mr. WILSON of Pennsylvania.

Mr. BURKE with Mr. CALDWELL.

Mr. BANNON with Mr. BRUNDIDGE.

Mr. AMES with Mr. BROUSSARD.

Mr. ACHESON with Mr. ALEXANDER of Missouri.

Mr. BUTLER with Mr. BARTLETT of Georgia.

Mr. FORDNEY with Mr. WILLIAMS.

Mr. COOPER of Pennsylvania with Mr. HARDWICK.

Mr. FASSETT with Mr. DE ARMOND.

Mr. BARCHFELD with Mr. UNDERWOOD.

Mr. COUDREY with Mr. GAINES of Tennessee.

Mr. DRAPER with Mr. PETERS.

Mr. SMITH of Michigan with Mr. RAINEY.

Mr. JENKINS with Mr. SLAYDEN.

Mr. BINGHAM with Mr. BURLESON.

Mr. LORIMER with Mr. HUMPHREYS of Mississippi.

Mr. STERLING with Mr. BOWERS.

Mr. WALDO with Mr. FOSTER of Illinois.

Mr. HUMPHREY of Washington with Mr. LENAHAN.

Mr. POWERS with Mr. PRATT.

Mr. PEARRE with Mr. ROBINSON.

On this vote:

Mr. KAHN with Mr. MCDERMOTT.

The result of the vote was announced as above recorded.

DELAWARE AND HUDSON COMPANY.

Mr. MALBY. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (S. 5043) authorizing and empowering the Secretary of War to convey to the Delaware and Hudson Company a right of way for railway purposes upon and across the military reservation of Plattsburg Barracks, at Plattsburg, in the county of Clinton and State of New York, in exchange for the release to the United States of all rights of said company and its subsidiary companies within the limits of said military reservation, and that it be considered in the House at this time.

The SPEAKER. The gentleman from New York asks unanimous consent——

Mr. SULZER. Mr. Speaker, I object.

The SPEAKER. The other gentleman from New York objects.

LEAVE TO EXTEND REMARKS.

Mr. COX of Indiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COX of Indiana. Mr. Speaker, I rise to ask unanimous consent to extend in the RECORD my remarks which I made on last Friday on the pension appropriation bill.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the pension appropriation bill. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to inquire whether the gentleman from Illinois would move to strike it out of the RECORD after it comes in?

The SPEAKER. The gentleman is not in order. Is there objection? [After a pause.] The Chair hears none.

MARY A. COULSON.

Mr. CHANEY. Mr. Speaker, I ask unanimous consent to have printed as a House document, to accompany report No. 629 on the bill (H. R. 1072), for the relief of Mary A. Coulson, executrix of Sewell Coulson, deceased, a letter from the Attorney-General of the United States dated March 20, 1906, discussing the merits of the claim embraced in the bill.

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to inquire what the letter is about.

Mr. CHANEY. It is a response of the Attorney-General of the United States to a call of the committee respecting the merits of the claim, which is reported favorably for action in the House.

Mr. SULZER. Was there a report accompanying the bill?

Mr. CHANEY. There is a report which has already been made from the committee, and I want the letter of the Attorney-General in.

Mr. SULZER. Was this letter written after the report was made?

Mr. CHANEY. No; this letter was written on the 20th of March, 1906.

Mr. SULZER. Then it should have been in the report in the first instance, and I object.

The SPEAKER. The gentleman from New York objects.

RAILROAD BRIDGE OVER MISSISSIPPI RIVER.

Mr. BEDE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 18450) authorizing the construction of a railroad bridge over the Mississippi River, which I send to the desk and ask to have read.

Mr. SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, I object.

The SPEAKER. The gentleman from New York objects.

EXTENDING TIME FOR COMPLETION OF LINES OF EAST WASHINGTON HEIGHTS TRACTION RAILROAD COMPANY.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill (H. R. 12438) extending the time limit for the completion of the lines of the East Washington Heights Traction Railroad Company, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the time limit for the completion of the lines of the East Washington Heights Traction Railroad Company is hereby extended for eighteen months from the passage of this act.

With the following amendments.

Insert at the end of the bill the words:

"*Provided*, That within one month after the approval of this act the said East Washington Heights Traction Railroad Company shall deposit with the collector of taxes of the District of Columbia the sum of $1,000 to guarantee the construction of said railway within the time herein limited. If this sum is not so deposited this act shall be void; if this sum is deposited and the said railroad company shall fail to construct and have in operation at least 1 mile of track in addition to that now in operation, within the time herein prescribed, the said sum shall be forfeited to the District of Columbia and this act shall be void."

Mr. SMITH of Michigan. Mr. Speaker, I ask to have the report in this case read.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

Report No. 1169.

The Committee on the District of Columbia, to whom was referred the bill (H. R. 12438) extending the time limit for the completion of the lines of the East Washington Heights Traction Railroad Company, report the same back to the House with the recommendation that it do pass when amended as follows:

Add at the end of line 5, page 1, the following proviso:

"*Provided*, That within one month after the approval of this act the said East Washington Heights Traction Railroad Company shall deposit with the collector of taxes of the District of Columbia the sum of $1,000 to guarantee the construction of said railway within the time herein limited. If this sum is not so deposited this act shall be void; if this sum is deposited and the said railroad company shall fail to construct and have in operation at least 1 mile of track in addition to that now in operation within the time herein prescribed, said sum shall be forfeited to the District of Columbia and this act shall be void."

The bill as originally introduced and referred to this committee was submitted to the Commissioners of the District of Columbia for examination and report before consideration by the committee. The amendment above recommended was suggested by the Commissioners, in view of the extensions of time which have been heretofore granted in the premises, and it is entirely satisfactory to the company. The circumstances of such extensions and the reasons for the proposed further extension are set forth by the Commissioners in the following letter:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 29, 1908.

SIR: The Commissioners of the District of Columbia have the honor to submit the following on House bill 12438, Sixtieth Congress, first session, "Extending the time limit for the completion of the lines of the East Washington Heights Traction Railroad Company," which you referred to them for examination and report.

The original charter of the East Washington Heights Traction Railroad Company was granted by act of June 18, 1898, the road to be completed within two years from the date of the passage of the act. Extensions of time have since been granted by acts of April 30, 1900, July 1, 1902, and April 26, 1904, the last extension being for a term of eighteen months from the passage of the act, and providing that at the expiration of the said period the franchise should be void for such lines, and for only such lines, as had not been constructed. Prior, however, to the expiration of this period the portion of the line had been constructed, of about three-fourths of a mile in length, running from the western end of the Pennsylvania Avenue Bridge across the said bridge to a point just beyond Minnesota avenue, and since the construction of this line a service which is believed to be entirely satisfactory to the people living in Randle Highlands and Twining City has been given by this company.

The purpose of the within bill is to revive or extend such portions of the franchise as were allowed to lapse by the failure to construct within the period prescribed in the act of April 26, 1904. There seems to be no objection to this extension and the Commissioners recommend favorable action, but believe that some forfeiture should be imposed for failure to construct at least a portion of the line for which the franchise extension is asked. They have therefore to suggest an addition to the bill, as shown on the amended copy submitted herewith, which provides for the deposit of $1,000 by the company prior to the beginning of the work of construction and the forfeiture of this $1,000 upon the failure of the company to build and operate at least 1 mile of road within the time of extension called for in the bill.

Very respectfully,

HENRY B. F. MACFARLAND,
President Board of Commissioners District of Columbia.

Hon. S. W. SMITH,
Chairman Committee on District of Columbia,
House of Representatives.

Mr. SMITH of Michigan. Mr. Speaker, I ask for a vote.

Mr. CRUMPACKER. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. CRUMPACKER. I would like to inquire of the gentleman from Michigan if there is any assurance of the extension of this road aside from the thousand-dollar forfeiture, if the bill be enacted into law, if the additional time be granted.

Mr. SMITH of Michigan. Yes; I understand——

Mr. CRUMPACKER. I learn from the reading of the report that the original grant was made in 1898, and there have been three separate acts of Congress extending the time.

Mr. SMITH of Michigan. That is correct.

Mr. CRUMPACKER. Now, it seems to me that the time of Congress ought not to be taken up in further extending the time in which this road is to be constructed unless there is some assurance aside even from the thousand-dollar forfeiture.

Mr. SMITH of Michigan. I will say to the gentleman that in addition to the thousand dollars provided for, they have some material on the ground and expect to go ahead and complete the line.

Mr. CRUMPACKER. And the gentleman I presume is of the opinion that Congress will not be called upon in eighteen months to pass a still further act of extension.

Mr. SMITH of Michigan. I hope not.

Mr. DRISCOLL. I would like to ask the gentleman how much road this particular company has now in operation?

Mr. SMITH of Michigan. One mile, as stated in the report.

Mr. DRISCOLL. Is that actually being used?

Mr. SMITH of Michigan. Oh, yes.

Mr. DRISCOLL. This company was created for the purpose of building this particular line of road?

Mr. SMITH of Michigan. Yes, sir.

Mr. DRISCOLL. It had no road before that, or any franchise before that?

Mr. SMITH of Michigan. Not that I know of.

Mr. DRISCOLL. The company has built about a mile, and how many miles are yet to be built by this particular bill?

Mr. SMITH of Michigan. One or 2 miles.

Mr. DRISCOLL. That is all?

Mr. SMITH of Michigan. Yes.

Mr. DRISCOLL. Has this particular company any other franchise by which it is permitted to build roads?

Mr. SMITH of Michigan. I do not know of any. I think this is a meritorious proposition. They have been giving service to the people over there, and I think the franchise ought to be extended.

Mr. DRISCOLL. Is this one of the subsidiary companies; and, if so, what company is its parent?

Mr. SMITH of Michigan. It is not a subsidiary company; it has nothing to do with the Capital Traction Company or the Washington Railway and Electric Company; it is an independent company.

Mr. DRISCOLL. It may be independent in form, but is it independent in fact and in substance?

Mr. SMITH of Michigan. It is independent in every sense, as far as I know.

Mr. DRISCOLL. I have not heard of any excuse the company has given in recent years for not building the road——

Mr. SMITH of Michigan. I think the excuse is that they could not get the capital. That is, of course, one of the best excuses that can be given.

Mr. DRISCOLL. Its franchise has already elapsed, more than two years ago.

Mr. SMITH of Michigan. Yes, sir; that is true. I think the amount they are asked to put up, a thousand dollars, is an ample amount to ask for a forfeit and all that could possibly be asked under the circumstances.

Mr. DRISCOLL. You think it is an ample forfeit?

Mr. SMITH of Michigan. I think it is, right at this time. I think it is proper, and certainly no harm can come to anybody by the extension of the franchise.

Mr. DRISCOLL. There is no other company that wants to build it?

Mr. SMITH of Michigan. Not that I have heard of.

Mr. DRISCOLL. And the gentleman from Michigan favors it?

Mr. SMITH of Michigan. I do, sir.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Florida?

Mr. CLARK of Florida. I just wanted to inquire of the Speaker upon what the vote is to be taken.

The SPEAKER. Upon the committee amendment, as the Chair understands it.

Mr. CLARK of Florida. Then I want to offer an amendment.

The SPEAKER. The question is on agreeing to the committee amendment.

Mr. SULZER. Mr. Speaker, can we have the amendment again reported?

The SPEAKER. The Clerk will again report the amendment.

The amendment was again reported.

Mr. SULZER. I would like to ask the gentleman——

The SPEAKER. Does the gentleman from Michigan yield?

Mr. SMITH of Michigan. Yes.

Mr. SULZER. This amendment is a committee amendment?

Mr. SMITH of Michigan. Pardon me; yes.

Mr. SULZER. Then, I wish to know why the committee did not put it in the bill when it reported the bill?

Mr. SMITH of Michigan. It was reported in the bill when it was reported.

Mr. SULZER. It is reported in the bill as an amendment?

Mr. SMITH of Michigan. Yes, sir; it is in the bill H. R. 12438 and recommended by the Commissioners.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. CLARK of Florida. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out the word "one," in line 9 of the printed bill, and insert in lieu thereof the word "ten," so as to read, "$10,000."

Mr. CLARK of Florida. Now, Mr. Speaker, I simply wanted to say that my information is that this charter has been in the hands of the present company for five or six years. The charter has existed, according to my information, for more than fifteen years. They have now constructed but three-quarters of a mile of road across the bridge, and the company, my information is, has only two second-class, secondhand "bobtail" cars. They have no power of their own, but get it from the Capital Traction Company, as I understand it, and a thousand dollars is, in my judgment, no bonus to deposit for good faith in this matter, where the company has dillydallied with this proposition for so many years. I hope the chairman of the committee will accept the amendment requiring the company to deposit $10,000 as an evidence of good faith.

Mr. SMITH of Michigan. I desire to say to the gentleman that I do not think that is a reasonable amendment under the circumstances. If I did not believe these people intended in good faith to go on and try and complete the line, I should not present the bill which is offered here. I think $10,000 would be too great a burden, and I hope the gentleman will withdraw the amendment. But if he insists upon it, I do hope it will be voted down.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. CLARK of Florida. Mr. Speaker, I desire to offer another amendment.

The SPEAKER. The gentleman from Florida [Mr. CLARK] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out the words "the time herein prescribed," in lines 2 and 3, on page 2 of Senate bill, and insert in lieu thereof the words "six months after the approval of this act."

Mr. CLARK of Florida. Now, Mr. Speaker, under the bill as it now stands this company has eighteen months in which to complete 1 mile of railway track. It is an absolute injustice to the people living in that section of the country, without any street railroad privileges, and utterly impossible for them to get any, that this concern, holding a franchise, should delay the necessary improvements that would be made in that section. Now, certainly, Mr. Speaker, six months is long enough for any railroad company that has held its charter four or five years to build one mile of railway track, when the people over there have been kept out of it for all these years. Other companies have been prevented from going there, the organization of other companies that would build the line has been prevented, and those people have been denied these privileges on account of the franchise owned by this dilatory company which, I am informed, is simply a speculative affair, and now they are to be held out for eighteen months longer. I submit, Mr. Chairman, that the gentleman ought to accept this amendment in justice to the people who live in the locality to be benefited by this railroad company.

Mr. SMITH of Michigan. I desire to say to the gentleman that after full hearing had before the Commissioners on this question they reported they thought eighteen months was not an unjustifiable length of time.

Mr. CLARK of Florida. Will the gentleman allow me to ask him a question?

Mr. SMITH of Michigan. Yes, sir.

Mr. CLARK of Florida. Does the gentleman think that his committee or that this House ought to make legislation in reference to the District of Columbia dependent upon what the Commissioners say?

Mr. SMITH of Michigan. Oh, not altogether; but, of course, we are guided to some extent by their judgment. They certainly have much more time to investigate many of these questions than does the District Committee or any individual member of it.

Mr. CLARK of Florida. That is true; and will not the gentleman say it is true that ex-Congressman Bliss, formerly a Member of this body from the State of New York, and other citizens interested out there, came before the committee and insisted upon having these people expedite that work? And is it not true that he and the other people interested are practically unanimous in their opposition to this eighteen months' extension of time?

Mr. SMITH of Michigan. I do not so understand it, and I do not recall that Mr. Bliss, and I do not think anybody else, has been before the committee, as the gentleman suggests, at this Congress and objected to any extension of time. The fact is, the only stockholder or the only person I know in connection with it is the gentleman mentioned in the last annual report, Mr. Randall. I met him on a car somewhere in the city during the last three or four months, and he said that if they were permitted to have this extension of time that they would complete the road and that they also had material upon the ground.

Mr. CLARK of Florida. I would like to ask the gentleman if he knows Mr. Randall?

Mr. SMITH of Michigan. Only casually. I remember meeting the gentleman. I think the gentleman was before the Committee on the District of Columbia in the last Congress, and I think I can say to the gentleman from Florida [Mr. CLARK] that if Mr. Randall should come into the room now I do not think I would know him.

Mr. CLARK of Florida. If the gentleman will permit me, and I hope he will, I desire to make this statement: Ex-Congressman Bliss was at my office this morning, and he certainly does protest. He tells me that he represents the citizens out there and that they protest very strongly against giving these people eighteen months' additional time in which to build 1 mile of track.

Mr. SMITH of Michigan. Well, certainly these people have been accommodated by the tracks and line which these people have already built, and the gentleman has only to visit that locality to see the character of the country.

Mr. MADDEN. I would like to ask the gentleman a question, if he will yield.

Mr. SMITH of Michigan. Certainly.

Mr. MADDEN. This bill, I notice, does not make any provision for universal transfer and for regulation by the Commissioners of the District. Does the gentleman from Michigan understand that the provision for universal transfers and regulation by the District Commissioners in the general railway bill will be sufficiently comprehensive to cover all the street railway legislation?

Mr. SMITH of Michigan. If the bill we passed some time ago becomes a law, I believe it will govern this case, too. This road now gives transfers to the Capital Traction Company.

Mr. MADDEN. It is what we can force them to do that I am interested in.

Mr. SMITH of Michigan. If the bill we passed some time ago becomes a law, I think it will control in this case.

Mr. MADDEN. I have a copy of the other bill before me, but I am rather inclined to agree with the gentleman; and I am willing to take his word just now, that if it does not cover it we can make provision for it hereafter.

Mr. DOUGLAS. How often, may I ask the gentleman from Michigan, has this franchise been extended?

Mr. SMITH of Michigan. Three times.

Mr. DOUGLAS. When was the franchise originally granted?

Mr. SMITH of Michigan. In 1898.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. CLARK of Florida. Division!

The House divided, and there were—ayes 30, noes 48.

Mr. SULZER. No quorum, Mr. Speaker.

The SPEAKER. Under the rules the doors will be closed; the Sergeant-at-Arms will notify absentees. The question is on agreeing to the amendment. As many as are in favor of agreeing to the amendment will, as their names are called, answer "yea;" as many as are opposed will answer "nay;" those not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 93, nays 141, answered "present" 18, not voting 136, as follows:

YEAS—93.

Adair	Finley	Kimball	Rothermel
Aiken	Flood	Kipp	Russell, Mo.
Alexander, Mo.	Floyd	Lamar, Mo.	Russell, Tex.
Ansberry	Fornes	Lamb	Ryan
Beall, Tex.	Fulton	Lawrence	Sabath
Bell, Ga.	Gardner, Mich.	Leake	Saunders
Bowers	Garner	Lee	Scott
Boyd	Gill	Lever	Shackleford
Brundidge	Godwin	Lindbergh	Sheppard
Burgess	Granger	Lloyd	Sherley
Caldwell	Gregg	McHenry	Smith, Tex.
Candler	Gronna	Malby	Stafford
Carter	Hamill	Maynard	Stanley
Clark, Fla.	Harrison	Moore, Tex.	Sulzer
Clark, Mo.	Hay	Nicholls	Talbott
Clayton	Helm	Norris	Tou Velle
Craig	Henry, Conn.	O'Connell	Volstead
Cravens	Henry, Tex.	Pou	Watkins
Dawes	Hitchcock	Pujo	Webb
Denver	Hobson	Randell, Tex.	Willett
Dwight	Houston	Ransdell, La.	Wolf
Ellerbe	Hull, Tenn.	Rauch	
Favrot	Humphreys, Miss.	Reid	
Ferris	Jones, Va.	Richardson	

NAYS—141.

Alexander, N. Y.	Driscoll	Jenkins	Olmsted
Allen	Ellis, Mo.	Johnson, Ky.	Padgett
Ames	Ellis, Oreg.	Jones, Wash.	Page
Andrus	Englebright	Kahn	Payne
Anthony	Esch	Keifer	Perkins
Barclay	Foss	Kennedy, Ohio	Pollard
Bartlett, Nev.	Foulkrod	Kinkaid	Pray
Bates	French	Knapp	Reeder
Bede	Fuller	Knowland	Roberts
Bennet, N. Y.	Gaines, W. Va.	Lafean	Rodenberg
Birdsall	Garrett	Landis	Sims
Bonynge	Gilhams	Laning	Slayden
Booher	Gillett	Littlefield	Slemp
Boutell	Goebel	Loud	Smith, Cal.
Brownlow	Graff	Lowden	Smith, Iowa
Burton, Ohio	Graham	McCall	Smith, Mich.
Byrd	Greene	McGavin	Southwick
Campbell	Haggott	McGuire	Sperry
Cary	Hall	McKinlay, Cal.	Steenerson
Caulfield	Hamilton, Iowa	McKinney	Stephens, Tex.
Chapman	Hamilton, Mich.	McLachlan, Cal.	Stevens, Minn.
Cocks, N. Y.	Hammond	McLaughlin, Mich.	Tawney
Conner	Harding	McMillan	Taylor, Ohio
Cook, Pa.	Haskins	McMorran	Thomas, Ohio
Cooper, Tex.	Haugen	Madden	Tirrell
Coudrey	Hawley	Mann	Townsend
Cousins	Hayes	Moore, Pa.	Vreeland
Crumpacker	Hepburn	Morse	Washburn
Currier	Higgins	Mouser	Weeks
Cushman	Hinshaw	Mudd	Wheeler
Dalzell	Holliday	Murdock	Wilson, Ill.
Darragh	Howell, N. J.	Murphy	Woodyard
Davis	Howland	Needham	Young
Dawson	Hubbard, Iowa	Nelson	
Diekema	Hubbard, W. Va.	Nye	
Douglas	Huff	Olcott	

ANSWERED "PRESENT"—18.

Adamson	Foster, Ill.	Lewis	Rucker
Bartlett, Ga.	Foster, Ind.	McLain	Taylor, Ala.
Burleson	Goulden	Macon	Wanger
Burton, Del.	Hardwick	Overstreet	
Cockran	Hill, Conn.	Parker, S. Dak.	

NOT VOTING—136.

Acheson	Bradley	Burnett	Cook, Colo.
Ashbrook	Brantley	Butler	Cooper, Pa.
Bannon	Brick	Calder	Cooper, Wis.
Barchfeld	Brodhead	Calderhead	Cox, Ind.
Bartholdt	Broussard	Capron	Crawford
Beale, Pa.	Brumm	Carlin	Davenport
Bennett, Ky.	Burke	Chaney	Davey, La.
Bingham	Burleigh	Cole	Davidson
De Armond	Hamlin	Lilley	Reynolds
Denby	Hardy	Lindsay	Rhinock
Dixon	Heflin	Livingston	Riordan
Draper	Hill, Miss.	Longworth	Robinson
Dunwell	Howard	Lorimer	Sherman
Durey	Howell, Utah	Loudenslager	Sherwood
Edwards, Ga.	Hughes, N. J.	Lovering	Small
Edwards, Ky.	Hughes, W. Va.	McCreary	Smith, Mo.
Fairchild	Hull, Iowa	McDermott	Snapp
Fassett	Humphrey, Wash.	McKinley, Ill.	Sparkman
Fitzgerald	Jackson	Madison	Spight
Focht	James, Addison D.	Marshall	Sterling
Fordney	James, Ollie M.	Miller	Sturgiss
Foster, Vt.	Johnson, S. C.	Mondell	Sulloway
Fowler	Keliher	Moon, Pa.	Thistlewood
Gaines, Tenn.	Kennedy, Iowa	Moon, Tenn.	Thomas, N. C.
Gardner, Mass.	Kitchin, Claude	Parker, N. J.	Underwood
Gardner, N. J.	Kitchin, Wm. W.	Parsons	Waldo
Gillespie	Knopf	Patterson	Wallace
Glass	Küstermann	Pearre	Watson
Goldfogle	Lamar, Fla.	Peters	Weems
Gordon	Langley	Porter	Weisse
Griggs	Lassiter	Powers	Wiley
Hackett	Law	Pratt	Williams
Hackney	Legare	Prince	Wilson, Pa.
Hale	Lenahan	Rainey	Wood

So the amendment was rejected.

The Clerk announced the following additional pairs:

For this session:

Mr. WANGER with Mr. ADAMSON.

Until further notice:

Mr. CHANEY with Mr. COX of Indiana.

Mr. GAINES of West Virginia with Mr. GILLESPIE.

Mr. FASSETT with Mr. LAMAR of Florida.

For the balance of this day:

Mr. BARTHOLDT with Mr. BRODHEAD.

Mr. BRICK with Mr. BURNETT.

Mr. CAPRON with Mr. GLASS.

Mr. DENBY with Mr. CRAWFORD.

Mr. FAIRCHILD with Mr. EDWARDS of Georgia.

Mr. LONGWORTH with Mr. MOON of Tennessee.

Mr. WATSON with Mr. WILEY.

Mr. LOUDENSLAGER with Mr. SPIGHT.

Mr. BEALE of Pennsylvania with Mr. CARLIN.

Mr. KENNEDY of Iowa with Mr. ASHBROOK.

Mr. BARTLETT of Georgia. I desire to know if the gentleman from Pennsylvania [Mr. BUTLER] has voted.

The SPEAKER. He has not voted.

Mr. BARTLETT of Georgia. I desire to change my vote, then, and answer present.

The Clerk called the name of Mr. BARTLETT of Georgia and he answered present.

The result of the vote was announced as above recorded.

The SPEAKER. The Doorkeeper will open the doors.

Mr. SMITH of Michigan. Mr. Speaker, I call for a vote on the bill.

Mr. SHACKLEFORD. In that connection, I desire to amend by striking out the word "eighteen" and inserting the word "twelve," making it twelve months instead of eighteen.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out "eighteen months" and insert "one year."

Mr. SMITH of Michigan. I desire to say that the committee will accept that amendment, making the time twelve months instead of eighteen.

Mr. SHACKLEFORD. I understand the chairman of the committee to say that on behalf of the committee they accept the amendment.

The SPEAKER. The House will have to dispose of the amendment.

The question was taken, and the amendment was 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. SMITH of Michigan, a motion to reconsider the last vote was laid on the table.

MEDICAL OR SURGICAL SERVICES TO FIREMEN.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill (H. R. 15230) to amend an act approved February 28, 1901, entitled "An act relating to the Metropolitan police of the District of Columbia."

The bill was read, as follows:

Be it enacted, etc., That the act of February 28, 1901, entitled "An act relating to the Metropolitan police of the District of Columbia," be amended by adding thereto the following:

"SEC. 4a. That hereafter whenever any member of the fire department of the District of Columbia in the actual discharge of his duty shall become so disabled by sickness or injury as to require services or treatment other than such as can be rendered by the board of police and fire surgeons, the expense of such services or treatment may be paid from the firemen's pension fund: *Provided*, That no such expenses shall be paid except upon the recommendation of the chief engineer of the fire department, approved by the Commissioners of said District, and such recommendation must be accompanied by a certificate

from some competent surgeon setting forth the nature and cause of the sickness or disability which rendered such services or treatment necessary."

With the following committee amendments:

Insert, on page 1, line 10, after the word "require," the words "medical or surgical."

Strike out of page 2, lines 4 and 5, the words "some competent surgeon" and insert in lieu thereof the words "a member of the board of fire surgeons."

The committee amendments were agreed to.

Mr. DRISCOLL. Mr. Speaker, I should like to ask the gentleman a question.

Mr. SMITH of Michigan. I yield to the gentleman from Ohio [Mr. TAYLOR].

Mr. DRISCOLL. I want to ask what the firemen themselves say about this. Are they in favor of it or not?

Mr. TAYLOR of Ohio. The firemen, as represented by their chief officer, are in favor of it.

Mr. DRISCOLL. Do you know anything about what the rank and file think of it?

Mr. TAYLOR of Ohio. I have not made calls on the rank and file, but there has been absolutely no objection to it, and from the terms of the bill it must be one that they want, because it simply gives them the right to have special service in addition to that which they already receive from the police surgeons.

Mr. DRISCOLL. But it is taken out of their fund.

Mr. TAYLOR of Ohio. But only a small portion of that fund is created by the firemen themselves.

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

LICENSES FOR DRIVERS OF PASSENGER VEHICLES.

Mr. SMITH of Michigan. Mr. Speaker, I call up the bill (H. R. 15231) to amend the license law approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire.

The bill was read, as follows:

Be it enacted, etc., That paragraph 11 of section 7 of the act of Congress approved July 1, 1902, entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," providing for license taxes in the District of Columbia, be, and the same is hereby, amended by adding thereto the following:

"That any and all persons employed or engaged in driving a horse or horses or other animal or animals attached to coaches, omnibuses, carriages, wagons, or other passenger vehicles for hire shall pay an annual license tax of $1: *Provided*, That such license shall not in any case be issued except upon application therefor to the assessor by the person desiring the license and upon approval of such issue by the Commissioners of the District of Columbia, under such general regulations as they may prescribe, after report made by some member of the Metropolitan police designated to inspect public vehicles to the major and superintendent of police; and it shall be the duty of the major and superintendent of police to forward said report to said Commissioners through the assessor of the District of Columbia. And there shall be kept in the department of police a list of names of all drivers, their annual license number, and any record that may be necessary concerning the conduct of drivers of public vehicles that may be required in connection with good public vehicle service: *Provided*, That licenses issued under the provisions hereof shall not be assigned or transferred, and every assignment or transfer of any such license shall be illegal, null, and void. Any person who shall violate any of the provisions of this amendment shall be punished as provided in paragraph 47 of said section 7."

Mr. LANDIS. I should like to ask the gentleman what the license is at the present time?

Mr. SMITH of Michigan. I yield to the gentleman from New York [Mr. MCMILLAN].

Mr. MCMILLAN. The present license is from $6 to $11, but that only applies to the owner and proprietor. It does not cover the driver. This only means that the driver shall be registered and his position qualified. It lends dignity to the driver. He has an opportunity of saying, "I am a licensed driver." He pays a dollar for that, and, in case of accident, the Department has his name and knows where it can find him. This bill is solely for the purpose of registering the drivers, and it will have the ultimate effect of affording protection to a good driver.

Mr. LANDIS. It simply adds to the law; it does not change existing law?

Mr. MCMILLAN. It changes no existing law.

Mr. DRISCOLL. I would like to know whether this is for the purpose of raising the grade of the driver or for the purpose of raising money?

Mr. MCMILLAN. It is for the purpose of raising the grade of the driver.

Mr. DRISCOLL. Why does not the gentleman include, if this is for the purpose of raising the grade of the driver and to prevent accidents, why does not the committee include chauffeurs of automobiles?

Mr. MCMILLAN. I think the law covers that in a separate section.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its secretaries, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5966. An act to establish a fish-hatching and fish-culture station for the hatching and propagation of shad upon or near the seacoast in the State of Georgia;

S. 5639. An act to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at a point to be selected within 5 miles north of the Kaw River, in Wyandotte County, State of Kansas, and Clay County, State of Missouri, and to make the same a post route," approved December 17, 1902;

S. 4441. An act to acquire certain land in the District of Columbia as an addition to Rock Creek Park;

S. 3973. An act to amend the laws of the United States relating to registration of trade-marks;

S. 2999. An act to amend an act entitled "An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes," approved February 27, 1907;

S. 2986. An act to acquire certain lands in Hall and Elvan's subdivision of Meridian Hill, in the District of Columbia, for a public park; and

S. 2232. An act to correct the naval record of Charles C. Lee.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 16882. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes;

H. R. 16621. An act to extend the time for the construction of a dam across Savannah River at Cherokee Shoals.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 16493. An act limiting and restricting the right of entry and assignment under the desert-land law and authorizing an extension of time within which to make final proof;

H. R. 15660. An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public laws;

H. R. 17167. An act authorizing the Woodlawn Cemetery Association, of St. Maries, Idaho, to purchase not to exceed 40 acres of land in the Cœur d'Alene Indian Reservation in Idaho; and

H. R. 19408. An act to authorize the Secretary of War to donate to the Albert Sidney Johnston Camp, Confederate Veterans, of San Antonio, Tex., not to exceed fifty obsolete Springfield rifles, bayonets, and bayonet scabbards for same.

PRIVATE HOSPITALS AND ASYLUMS IN THE DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. Mr. Speaker, I now call up the bill (H. R. 17305) to regulate the establishment and maintenance of private hospitals and asylums in the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That no person shall in the District of Columbia establish or maintain any private hospital or asylum, either for the reception of human beings or of domestic animals, unless or until licensed by the Commissioners of said District so to do.

SEC. 2. That it shall be the duty of the health officer of the District of Columbia, and of such agents and employees in the service of the health department of said District as he may designate for that purpose, to enforce the provisions of this act and of all regulations made by authority thereof; and said health officer and agents and employees are hereby authorized, in the performance of the duty aforesaid, to enter and inspect during all reasonable hours all private hospitals and asylums in said District. No person shall interfere with said health officer, or with any agent or employee aforesaid, in the performance of his official duty, nor hinder, prevent, or refuse to permit any inspection authorized by this act.

SEC. 3. That any person who, for himself or as the employee or agent of another person, or as a member, officer, or employee of a firm or corporation, violates any of the provisions of this act or any regulations made hereunder by the Commissioners of the District of Columbia, or aids in the violation thereof, shall be punished by a fine not exceeding $200 or by imprisonment for not more than thirty days, or by both fine and imprisonment, in the discretion of the court.

SEC. 4. That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to promulgate from time to time such regulations as in their judgment public interests require to govern the establishment and maintenance of private hospitals and asylums, whether for human beings or for domestic animals, and to regulate the issue, suspension, and revocation of licenses aforesaid.

SEC. 5. That all prosecutions under this act shall be in the police court of the District of Columbia upon information signed by the corporation counsel of said District or by one of his assistants.

SEC. 6. That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

The following committee amendment was read:

Strike out of page 1, line 6, the words "so to do" and insert a period after the word "District," in said line.

Mr. SULZER. Mr. Speaker, I wish to inquire if there is anything in this bill that restricts in any way chiropractic treatment in the District of Columbia?

Mr. SMITH of Michigan. Mr. Speaker, I will yield to the gentleman from New York [Mr. OLCOTT].

Mr. OLCOTT. Nothing whatever; the bill provides that if a private hospital is established, permit must be obtained from the Commissioners, and that they shall have the supervision over the hospital. It has nothing to do with chiropractic treatment.

Mr. SULZER. What change does it make in existing law?

Mr. OLCOTT. The District appropriation bill of March 2, 1895, provided:

That hereafter no other building for use as a public or private hospital for contagious diseases shall be erected in the District of Columbia within 300 feet of any building owned by a private individual or any other party than the one erecting the building. All private hospitals in the District of Columbia shall be required to secure a permit from the Commissioners of the District of Columbia, and said hospitals shall be at all times subject to inspection by the health officer of said District or his deputy, and any person or persons refusing to permit such inspection shall each be subject to a fine of not less than $50 nor more than $200 for each of such refusals.

Mr. SULZER. Does this bill increase the license fee?

Mr. OLCOTT. Absolutely not. It is a law which enables the provision attached to the appropriation bill to be carried out. No means were provided to enable the Commissioners to carry out the law.

Mr. SULZER. Is it the unanimous report of the committee?

Mr. OLCOTT. Yes.

Mr. DRISCOLL. I would like to ask the gentleman if this discriminates between the several schools of medicine?

Mr. OLCOTT. Not in the slightest.

Mr. DRISCOLL. Does it involve in any way the merit of the several schools?

Mr. OLCOTT. Not in the slightest degree.

Mr. DRISCOLL. Does this apply to Christian Science in any way, or to mental healing, in case Scientists or healers take the patients to their homes?

Mr. OLCOTT. It is merely for the establishment of private hospitals.

Mr. DRISCOLL. If a man takes a patient or two to his home and treats them in his way, is not that a private hospital, and would it not be so construed?

Mr. OLCOTT. The laws of the District of Columbia provide for the granting of a license to practicing physicians of the several schools of medicine. I do not know whether there is any particular provision relative to the Christian Science cult, but I know that this does not in any way affect the law relative to that.

Mr. DRISCOLL. I think it would. If this applies to a private asylum, if a man should take a few patients into his home for the purpose of treating them mentally, or by Christian Science, he may be within the provisions of this statute.

Mr. LANDIS. Well, why not?

Mr. DRISCOLL. I think it ought to have more consideration than we are giving it here.

Mr. OLCOTT. Then he would come under the provisions of the law as it now exists.

Mr. DRISCOLL. Will he not come under the provision of this law?

Mr. OLCOTT. No; no person can practice medicine in the District of Columbia without taking out a license.

Mr. DRISCOLL. He may not be practicing medicine; he may have people in his house, treating them in his way, and he may be deemed to come under this law. He may be prohibited from doing it under this proposed statute. Was it the intention of the gentleman to make any attack on them?

Mr. OLCOTT. Not the slightest; it has absolutely nothing to do with that. It is merely to provide a method to give effect to the law as it now exists under this proviso in a former appropriation bill.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

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

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

REGISTRATION OF CASES OF TUBERCULOSIS IN THE DISTRICT OF COLUMBIA, ETC.

Mr. SMITH of Michigan. Mr. Speaker, I now call up the bill (S. 29) to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That it shall be the duty of every physician in the District of Columbia to report in writing to the health officer of said District, within one week after the disease is suspected, on forms to be provided by said health officer, the name, age, sex, color, occupation, and address of every person under his care in said District who, in his opinion, is afflicted with pulmonary or other communicable form of tuberculosis. It shall also be the duty of the officer having charge for the time being of each and every hospital, dispensary, asylum, or other similar public or private institution in said District to report in like manner the name, age, sex, color, occupation, and last address of every person who is in his care or who has come under his observation within one week of such time who, in his opinion, is afflicted with pulmonary or other communicable form of tuberculosis.

SEC. 2. That the health officer of said District shall promptly make, or cause to be made by a competent microscopist, a microscopical examination of the sputum of persons thus reported, and shall make a report thereof, free of charge, to the physician or officer upon whose application the examination was made. If the examination fails to show the existence of the disease, that fact shall be recorded.

SEC. 3. That the health officer of said District shall cause all cases showing the presence of tubercle bacilli to be recorded in a register of which he shall be the custodian, which register shall not be open to inspection by anyone except the health officer and the deputy health officer of said District, and neither said health officer nor said deputy health officer shall permit any such record to be divulged in such manner as to disclose the identity of the person to whom it relates except as it may be necessary in carrying out the provisions of this act.

SEC. 4. That it shall be the duty of the health department, in every case where a microscopical examination reveals the existence of tuberculosis, to supply to such person, or those in charge of such person, unless otherwise requested by the attending physician, printed instructions as to the methods to be employed to prevent the spread of the disease.

SEC. 5. That in case of death from pulmonary or other communicable form of tuberculosis, or the removal from any apartment or premises of a person or persons so afflicted, it shall be the duty of the attending physician, if he has such knowledge, or, if there be no such physician or if such physician be absent, of the owner, lessee, tenant, occupant, or other person in charge of said apartment or premises to notify the health officer, in writing, of such death or removal, within twenty-four hours thereafter, and such apartment or premises shall then be disinfected by the health department at public expense or, if the owner prefers, by the owner to the satisfaction of the health department, and shall not again be occupied until so disinfected.

SEC. 6. That it shall be the duty of every person afflicted with tuberculosis, and of every person in attendance upon anyone afflicted therewith, and of the authorities of public and private institutions or dispensaries in said District to observe and enforce all sanitary rules and regulations of the Commissioners of the District of Columbia for preventing the spread of the disease.

SEC. 7. That upon the recovery of any person who has been found to be suffering from tuberculosis a report to that effect to the health department, made by the attending physician, shall be recorded in the register aforesaid, and shall relieve such person from further liability to any requirements imposed by this act.

SEC. 8. That any person violating any of the provisions of this act shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding $25.

SEC. 9. That all prosecutions under this act shall be in the police court of said District upon information brought in the name of the District of Columbia and on its behalf.

SEC. 10. That all acts and parts of acts contrary to or inconsistent with the provisions of this act be, and they are hereby, repealed.

With the following committee amendments:

On page 1, line 5, strike out the word "suspected" and insert the word "recognized."

On page 3, lines 7 and 8, strike out the words "or the removal from any apartment or premises of a person or persons so afflicted."

Page 3, line 13, strike out the words "or removal."

Mr. MANN rose.

The SPEAKER. Does the gentleman yield?

Mr. SMITH of Michigan. Mr. Speaker, I yield to the gentleman from New York [Mr. OLCOTT].

Mr. MANN. Mr. Speaker, I notice in section 6 it is provided that it shall be the duty of every person afflicted with tuberculosis and of every person in attendance upon anyone afflicted therewith, and of the authorities of public and private institutions or dispensaries in said District to observe and enforce all sanitary rules and regulations of the Commissioners of the District of Columbia for preventing the spread of the disease. How is it proposed to enforce that provision of the law?

Mr. OLCOTT. I think that can be enforced just as readily as all other health ordinances are enforced, by the proper health authorities.

Mr. MANN. In what way—by penalty?

Mr. OLCOTT. It is true that they would be liable to a penalty of $25, but that same provision is made for violations of any of the ordinances of the board of health to-day.

Mr. MANN. Section 8 provides that any person violating any of the provisions of this act shall, upon conviction thereof, be deemed guilty of misdemeanor and shall be punished by a fine not exceeding $25, so that that provision provides a penalty for violation of section 6, and we enact a law providing that it shall be a misdemeanor for any person afflicted with tuberculosis, or any person in attendance upon anyone afflicted therewith, to not enforce or observe all sanitary rules and regulations of the Commissioners. Have we the power to say that there shall be a penalty if somebody afflicted with tuberculosis shall not enforce or observe all the rules and regulations of the Commissioners?

Mr. OLCOTT. I think we have the same power to enforce regulations we are now making for the prevention of the spread of tuberculosis as we have for any other health regulation.

Mr. MANN. Undoubtedly.

Mr. STAFFORD. What power, I would like to ask the gentleman, have we to provide a penalty for some regulation the Commissioners may see fit to prescribe.

Mr. OLCOTT. There is the general provision in the Code of the District of Columbia as to how persons guilty of misdemeanors of any kind shall be proceeded against and how penalties and fines shall be collected. If it is proper to attach a penalty for misdemeanor under this act, the law can be enforced in exactly the same way as in other cases where there are violations of the rules of the health department.

Mr. STAFFORD. Does the gentleman think it is within the power of Congress to make criminal any regulation department officials may in the future formulate?

Mr. OLCOTT. I have no doubt whatever that under the act as it now exists where we make something a misdemeanor that is not now a misdemeanor the same code will give authority to enforce the provisions of the law.

Mr. STAFFORD. My point is directed to the authority of delegating to a department official the right to make criminal any regulation that he may prescribe.

Mr. OLCOTT. We do not. This law says certain things must be done and that the failure to carry out the law shall be deemed a misdemeanor.

Mr. STAFFORD. I understand the point of the objection of the gentleman from Illinois [Mr. MANN] was that section 8 provides that any person violating any of the provisions of this act would be guilty of a misdemeanor, and that that extended to the regulations that might be prescribed by the Commissioners of the District under section 6.

Mr. OLCOTT. Well, that is true as to the present ordinance regulations, not only of the health department, but of all the subsidiary departments, and the violation of any of those regulations is a misdemeanor.

Mr. STAFFORD. Then we are vesting in the District Commissioners authority to make criminal law?

Mr. OLCOTT. No; it makes a violation of the regulations of a department which has charge of several subjects a misdemeanor.

Mr. CRUMPACKER. I believe the Federal Government does have the power to vest in the District Commissioners or local board of health authority to make laws. The provision of the Federal Constitution declaring that all legislative power shall be vested in Congress relates to the Government of the United States proper. The courts hold that Congress has authority to create boards or legislatures for the government of territory, and we have a number of instances in the history of this country where boards were created or appointed and Congress authorized them to make all laws, penal and civil, for the government of Territories, and the objection that is suggested by the gentleman from Wisconsin, it seems to me, does not apply to the District of Columbia. The Congress does have authority to confer upon a board or to delegate to a board or a legislative body in the District of Columbia power to legislate, power to make regulations, and particularly regulations of a sanitary character—regulations to promote public health—and it seems to me that the power contained in this bill is authorized by Congress. It seems to me that it is reasonable, and that it is the only practical way to make and enforce health laws. I regard the bill a valid and wise measure.

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

Mr. CRUMPACKER. If I have control of the time.

Mr. MANN. The contention of the gentleman, I think, does not apply to the question at issue. There is no pretense that in this bill, so far as I have been able to find out, Congress confers any authority upon the District Commissioners to make rules and regulations.

Mr. OLCOTT. It confers in the health officer in said District power to make regulations—we prescribe a number of them—and in section 2——

Mr. MANN. What portion of the section confers that authority, vesting it in the health officer or——

Mr. OLCOTT. I will say that section 1 provides that it shall be the duty of every physician to report in writing to the health officer——

Mr. MANN. That is a regulation which we make.

Mr. OLCOTT. Certainly we do; that is the law we are enacting. Then it goes on to say that it shall be the duty of every officer in charge of every hospital to make similar reports to the health officer in said District, and that he shall directly make, or cause to be made, certain microscopical examinations, and so forth.

Mr. MANN. Of course, I assume the gentleman himself is not responsible for this bill. I expect it was sent in by the District Commissioners. There is nothing in the bill that authorizes the District Commissioners to make any regulations, but there is a provision in the bill that anybody shall be fined who did not observe the regulations that they make.

Mr. OLCOTT. Let me say, under the general law governing this District, the board of health, acting under the Commissioners, are empowered to make proper regulations in all matters affecting the sanitary conditions of this city.

Mr. MANN. Well, under that power now conferred upon the Commissioners, I take it that they have the power to regulate tuberculosis. If they have, what is the object of passing this law? If they have not, then you do not confer that power upon them by this bill.

Mr. OLCOTT. They have general power to make regulations for the carrying out of all laws affecting the sanitary conditions of the District. Now, we say that certain things shall be done, which pertain to the sanitary affairs of the District, by the board of health under the law which they already have, acting in connection with their power to make regulations.

Mr. MANN. I am not familiar with this question, but I assume—if I am wrong I would like to be corrected—that under existing laws the District Commissioners have not power to make sanitary rules and regulations governing the question of tuberculosis. If they have, why do you bring this bill in?

Mr. OLCOTT. They have not the power to compel registration of tuberculosis cases as they have now for smallpox and diseases of that character. Now, this gives them power to require registration of tuberculosis cases.

Mr. MANN. I beg the gentleman's pardon, this does not give them the power. This puts upon them the duty. We say it shall be done; we do not confer any power upon them about rules and regulations in this bill. There is not a line giving the Commissioners or health officer authority, but we put a duty upon them.

Mr. OLCOTT. The health officer has general duties to perform in connection with the health of this city.

Mr. MANN. I am in sympathy with the gentleman's proposition. I would like to see a good tuberculosis law passed, but can say to him that, in my judgment, if this bill becomes a law, the first time it is tested it will be decided that Congress has passed a law that provides nothing.

Mr. OLCOTT. I would say that practically the same bill was passed by the House during the last session of the Fifty-ninth Congress. I am not saying that as an argument in favor of the bill. It has also passed the Senate this session, and I would further say, when we considered it a year ago in our committee we were quite convinced that the powers given to the health department of the District of Columbia were amply sufficient to enable the Commissioners to see that this bill and its provisions were carried out.

Mr. MANN. It is just batting the air to pass this bill.

Mr. CRUMPACKER. It is a strange situation, it seems to me, if there is not now ample authority in the Commissioners of the District of Columbia to adopt regulations to prevent the spread of infectious and contagious diseases. There is a general health law that describes, I understand, some diseases as contagious and infectious. This law brings the disease of pulmonary tuberculosis, and all kind of tuberculosis, within that classification, and therefore it extends the power of the District Commissioners contained in the general law to make regulations governing this as well as other contagious and infectious diseases.

Mr. MANN. That is a statute of the imagination that I have not reached yet.

Mr. CRUMPACKER. I do not think it requires any imagination to read it.

Mr. MANN. It would if you would read the bill.

Mr. CRUMPACKER. The section the gentleman is criticising only requires the observance of regulations adopted by the Commissioners to prevent the spread of the disease. I have no doubt, I repeat, that the Commissioners already have authority to make regulations to prevent the spread of infectious and contagious diseases. Heretofore tuberculosis has not been classified as a contagious or an infectious disease. This bill so classifies it, and, of course, legally the power the District Commissioners already have will extend to tuberculosis.

Mr. MANN. It is somewhat of a mooted question as to whether tuberculosis is a contagious or an infectious disease; and I understand it is proposed, then, to take that away from the scope of the learned men of the profession and have Congress determine a fact that the profession has not yet been able to ascertain.

Mr. CRUMPACKER. Congress acts upon a fact when science has demonstrated it to be a fact.

Mr. MANN. If it be the fact, and the law say "contagious and infectious diseases," then it is a fact. It does not require additional legislation, and if it was not the fact, then Congress can not make it the fact.

Mr. CRUMPACKER. The law as it exists now specifies certain diseases as contagious and infectious, and having so specified by the rule of exclusion, it leaves all diseases not specified out of the classification.

Mr. OLCOTT. I would like to say to the gentleman from Illinois [Mr. MANN] that as a matter of fact the health department of this city has power to make regulations affecting all diseases and to see that those regulations are properly carried out and enforced for the benefit of the sanitary condition of the District. If the gentleman is only afraid that this bill can not be carried out, I hope he will not press any serious objections to it, because I know it is a good bill.

Mr. MANN. I have seen many bills that were good bills, and the courts knock out bills every day, and more, apparently, of the bills that come from the Committee on the District of Columbia than any other committee.

Mr. CRUMPACKER. I doubt if the courts knock out as many bills as the gentleman from Illinois [Mr. MANN] does.

Mr. MANN. If "the gentleman from Illinois" would knock out some more, the courts would not have opportunity to knock out some of them.

Mr. SHACKLEFORD. Will the gentleman inform me how many new employees will be called for by this bill?

Mr. OLCOTT. As far as I know there will not be any. I have not investigated, but I have not learned that it will be necessary to have any additional employees. There is nothing in the bill itself that provides for any. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

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

ORDER OF BUSINESS.

Mr. SMITH of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District business.

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

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DALZELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union to consider bills relating to the District of Columbia.

AMENDING ACT TO EXTEND MERIDIAN PLACE NW.

Mr. SMITH of Michigan. I call up the bill S. 3416.

The Clerk read as follows:

A bill (S. 3416) to amend an act entitled "An act authorizing the extension of Meridian place NW.," approved January 9, 1907.

Be it enacted, etc., That the act entitled "An act authorizing the extension of Meridian place NW.," approved January 9, 1907, be, and the same is hereby, amended by adding after the words "fifty feet," at the end of section 1 thereof, the words "along such line as said Commissioners shall deem most advantageous."

Mr. SMITH of Michigan. I ask for a vote.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

Mr. SULZER. Mr. Chairman, I would like to have some explanation in regard to this bill.

Mr. SMITH of Michigan. It is very brief. There is no change except an amendment by adding the words "along such line as said Commissioners shall deem most advantageous." The bill was passed during the last Congress, and when the Commissioners came to lay out the road they found it interfered with improved property. They simply ask to amend the provision in this way, so that they can deflect the road.

Mr. SULZER. Is it a unanimous report?

Mr. SMITH of Michigan. Yes, sir.

The bill was ordered to be laid aside with a favorable recommendation.

WIDENING OF BENNING ROAD.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill H. R. 4063.

The bill was read, as follows:

A bill (H. R. 4063) for the widening of Benning road, and for other purposes.

Be it enacted, etc., That under and in accordance with the provisions of sections 491a to 491n, both inclusive, of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within twenty days after the dedication to the District of Columbia of 50 per cent of the land necessary for the widening of Benning road in the District of Columbia from Fifteenth street NE. to Oklahoma avenue, exclusive of the strip of land 30 feet in width acquired by the Columbia Railway Company under the provisions of the act of Congress approved June 13, 1898, entitled "An act to authorize the extension eastwardly of the Columbia Railway," according to the street-extension plans of said District, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary to complete the widening of said road to a width of 110 feet between the limits named.

SEC. 2. That assessments shall be made by the jury as benefits, as contemplated in section 491g of the subchapter of the code hereinbefore referred to: *Provided*, That the total amount found to be due and awarded as damages, plus the cost and expenses of the proceedings, shall be assessed by the said jury as benefits.

SEC. 3. That the Washington Railway and Electric Company be, and is hereby, required to extend its underground conduits and operate through cars to Oklahoma avenue and place its tracks in the center of said Benning road, as widened according to the provisions of this act, and to complete the construction and equipment of said extension within one year from the date of the approval of this act.

SEC. 4. That the sum of $600, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the District of Columbia to provide the necessary funds for the cost and expenses of the condemnation proceedings taken pursuant hereto, to be repaid to the District of Columbia from the assessments for benefits when the same are collected, and a sufficient sum to pay the amounts of all judgments and awards is hereby appropriated out of the revenues of the District of Columbia.

SEC. 5. That all acts and part of acts inconsistent with this act be, and the same are hereby, repealed.

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

Strike out of page 1, line 3, the words "of sections."

Strike out of page 1 entire line 4.

Strike out of page 1, line 5, the words "one n, both inclusive," and both commas.

Strike out of page 1, line 7, the word "twenty" and insert in lieu thereof the word "ninety."

Insert in page 2, at the end of line 6, the following provisos to section 1:

Provided, however, That the entire amount found to be due and awarded by the jury in said proceedings as damages, for and in respect of the land to be condemned for said extension plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits: *And provided further*, That nothing in said subchapter 1 of chapter 15 of said code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder."

Strike out of page 2 all of lines 7 to 25, both inclusive.

Strike out of page 3 lines 1 to 5, both inclusive.

Insert in lieu of the lines stricken out by the last two amendments the following to stand as section 2 of the bill:

"SEC. 2. That there is hereby appropriated from the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages; to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia."

Mr. SIMS. Mr. Chairman, I move to amend the bill by inserting an additional section.

The CHAIRMAN. The gentleman from Tennessee moves an amendment, which the Clerk will report.

The Clerk read as follows:

That section 869 of the act of Congress entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, be amended by striking out the words "in the cities of Washington and Georgetown" and the words in said act "or within said District, within 1 mile of the boundaries of said cities."

Mr. CRUMPACKER. I reserve the point of order upon the amendment offered by the gentleman from Tennessee until I know what it is.

Mr. SIMS. Mr. Chairman, I will explain the object and purpose of this amendment. In order to do so, I will read the section in the code which this is intended to amend. Section 869 of the code reads:

SEC. 869. Pool selling, etc.: It shall be unlawful for any person or association of persons in the cities of Washington and Georgetown, in the District of Columbia, or within said District within 1 mile of the boundaries of said cities, to bet, gamble, or make books or pools on the result of any trotting race or running race of horses, or boat race, or race of any kind, or on any election, or any contest of any kind, or game of baseball. Any person or association of persons violating the provisions of this section shall be fined not exceeding $500 or be imprisoned not more than ninety days, or both.

Under a decision of the court it has been held, as I understand it and as I am informed, that under this section of the code it does not include Benning race track and does not make it, therefore, unlawful for any person to bet on a horse race at Benning; but by striking out the words "in the cities of Washington and Georgetown" and "or within said District within 1 mile of the boundaries of said cities," it reads as follows:

It shall be unlawful for any person or association of persons in the District of Columbia to bet, gamble, or make books or pools on the result of any trotting race or running race of horses, or boat race, or race of any kind, or on any election, or any contest of any kind, or game of baseball.

The object of the amendment is simply to extend the anti-gambling laws of the District to the entire District, so as to

make gambling and betting unlawful in every part of the District. Under the language of the section as it is in the act, it is within 1 mile of the limits of the city of Washington, and 1 mile does not extend to the limits of the District of Columbia, and therefore the courts are without jurisdiction to enforce the law.

Mr. LANDIS. I would like to ask the gentleman from Tennessee if the gentleman from Illinois had accepted the proposition offered from the gentleman from New York, would that wager have been a violation of the code?

Mr. SIMS. Well, I am not undertaking to define what wagers are. But, speaking of the gentleman from New York, this in part is for the benefit of some gentlemen from New York. We know, as it has been stated, that New York has been hard up for money for a long time, so much so that a panic was the result, and the Secretary of the Treasury had to make very large deposits in the banks of the city of New York to prevent the panic from being prolonged. It is suggested that these gentlemen from New York are fleeced and robbed by the clerks and employees of the Government and citizens of the District, including statesmen, by winning their money, and as an additional reason for the passage of this bill I want to prevent this local crowd from fleecing the citizens of New York and sending them home impoverished.

Mr. CRUMPACKER. If the gentleman will permit me, I reserved the point of order for the purpose of ascertaining what the amendment the gentleman offered really meant, what its significance really was. I find that it is to extend the antigambling law to the race tracks at Benning, where, I suppose, it ought to apply if it applies anywhere. The amendment is doubtless subject to a point of order. It is somewhat illogical to amend the bill in this way, but I do not propose to stand in the way of the enactment of proper antigambling laws for the District. I believe in that kind of legislation, and therefore I withdraw the point of order and will support the amendment.

Mr. SIMS. I was satisfied that the gentleman from Indiana would do that as soon as he knew what the purpose of the amendment was.

Mr. KAHN. I desire to make the point of order, and to say in that connection that this matter has not been before our committee in such a way that the committee could take action on it. It is an unusual way to come in here and offer an amendment on a bill of this character, and I submit it is of sufficiently serious importance to be considered by the committee. I make the point of order.

Mr. SIMS. I ask the gentleman to withhold it for a moment. He has referred to the action of the District Committee, and I should like to make a statement about that.

Mr. KAHN. I reserve the point of order.

Mr. SIMS. A bill of this kind, except broader, and going to the extent of making it unlawful to make wagering contracts on futures, was introduced and went to the District Committee. The bill was introduced by the gentleman from Kansas [Mr. CAMPBELL], and it was well, thoroughly, and fully considered, and I offered this provision as a substitute for the bill, and it was voted down. Then, after consideration of the bill, which included this and other matters, the bill of the gentleman from Kansas [Mr. CAMPBELL] was tabled. So the subject-matter has been considered by the committee, but I am sorry to be compelled to say that it did not meet with the approval of a majority of those present.

I hope the gentleman from California will not make the point of order, because here is a law which plainly says it shall be unlawful to lay wagers and make bets within 1 mile of the limits of the cities of Washington and Georgetown, leaving all the rest of the District of Columbia without protection from a law which is thought to be necessary within the city. Now, if the existing law is a good law a little beyond the limits of these cities, why is it not a good law a little farther, to the limits of the District of Columbia, which does not exceed 10 miles square. I hope the gentleman will not insist on his point of order.

Mr. KAHN. Mr. Chairman, this matter was brought up in the committee for the first time at the last meeting. As I remember, it was not fully considered. It is a very important matter. I am just as anxious as the gentleman is to limit gambling. I have never laid a wager on a horse race in my life, but I submit that this is not the proper way to legislate, and I insist on the point of order.

The CHAIRMAN (Mr. DALZELL). This is a bill, as the Chair understands, to widen the Benning road. The amendment offered by the gentleman from Tennessee goes to the prohibition of gambling. The Chair thinks the amendment is not germane to the purpose of the bill, and therefore the Chair sustains the point of order.

Mr. SIMS. As there is nothing objectionable in the bill, and as it is a good bill, I will ask for a vote on it.

Mr. MADDEN. Did I understand the Chair to sustain the point of order on this amendment?

Mr. SIMS. On the amendment I offered, yes.

Mr. MADDEN. I think inasmuch as this bill appropriates an indefinite sum of money out of the treasury of the District of Columbia, it is exceeding its authority when it recommends this appropriation. It seems to me that under the rule the appropriation is not in order. I did not make the point of order against the section of the bill in time to have it considered from that standpoint, but I believe there should be an investigation of the amount of money required to meet the expenditure provided for in this bill before an appropriation is made. I beg to suggest that page 3, section 2, line 18, after the word "hereby," ought to be amended so as to substitute the word "authorized" for the word "appropriated." I offer that amendment.

Mr. SIMS. I do not care anything about the language of the amendment, provided its purpose is accomplished.

Mr. MADDEN. The purpose is to give authority for the appropriation, rather than to make the appropriation.

Mr. SIMS. I will accept the amendment.

The CHAIRMAN. Will the gentleman from Illinois repeat his amendment?

Mr. MADDEN. My amendment is to substitute the word "authorized" for the word "appropriated," on line 18, page 3.

The Clerk read as follows:

In line 18, page 3, strike out the word "appropriated" and insert the word "authorized," so it will read "there is hereby authorized."

Mr. SMITH of Michigan. Should not it be "authorized to be expended?"

Mr. MADDEN. Yes; I will modify it to that extent.

The Clerk read as follows:

Strike out the word "appropriated" and insert the words "authorized to be expended," so it will read "there is hereby authorized to be expended."

The amendment was agreed to.

Mr. SHACKLEFORD. Mr. Chairman, I would like to ask the gentleman from Tennessee, if he wants to stop gambling, why he wants to widen this road so that the gamblers can get to it so easily?

The CHAIRMAN. The question is on the amendment recommended by the committee.

Mr. MANN. Mr. Chairman, I think the gentleman from Tennessee ought to answer the question of the gentleman from Missouri. I want to ask if this is in the interest of the race track at Benning?

Mr. SIMS. I certainly did not think so, and I should be glad to read to the gentleman from Illinois the following resolution from the East End Suburban Association. It is as follows:

EAST END SUBURBAN CITIZENS' ASSOCIATION,
Washington, D. C., March 23, 1908.

Hon. THETUS W. SIMS,
House of Representatives, Washington, D. C.

MY DEAR SIR: I take pleasure in notifying you that the following resolution, introduced by me at the last regular meeting of our association, held the 12th instant, was unanimously adopted:

"*Resolved*, That the thanks of this association are due, and the same are hereby tendered, the Hon. THETUS W. SIMS, of Tennessee, for his efforts in behalf of the passage of the bill (H. R. 4063) for the widening of Benning road."

All of which is respectfully submitted.

Very truly, yours, JAMES M. WOOD, *Secretary*.

Now, Mr. Chairman, the amendment I offered was to prevent betting, not horse racing. You can go out and see all the horses run you want to and spend all the time you want to there and not lose your money. [Laughter.]

Mr. MANN. The gentleman from Tennessee assumes that. The gentleman knows very well that Benning would not last very long if they were not allowed to bet. Do I understand that the bill is being passed to help the race track, regardless of betting?

Mr. SIMS. It has no reference to the race track. People going out there take the cars, autos, or carriages and get back the best way they can.

Mr. MANN. Is there a settlement there where people take the cars for their own use?

Mr. SIMS. I have just read the gentleman a letter. Perhaps I ought not to have read it, as the resolution was addressed to me.

Mr. MANN. Oh, the gentleman is entitled to all the thanks and flowers that are thrown out to him.

Mr. SIMS. I would not have put it in the RECORD if I had not been called upon to show the necessity of this widening.

Mr. MADDEN. I understood the gentleman from Tennessee to say that there was no objection to this bill as it now stands?

Mr. SIMS. No.

Mr. MADDEN. This matter of betting is like the question of the bedbug; there is not so much objection to the bedbug, but it is the infernal method he has of getting a living. [Laughter.] Will not this afford the same opportunity to the gamblers that it will afford to anyone else?

Mr. SIMS. No; you have to go across the Anacostia River to get to Benning—or at least that used to be the way. This is for the improvement this side of Benning. I have no map here to show gentlemen how far this side of Benning, but it has no effect on Benning as a race track. I ask for a vote.

Mr. MADDEN. What effect does it have?

Mr. SIMS. It is for the benefit of the people who use the road.

Mr. MADDEN. What effect does it have on them?

Mr. SIMS. The road now is not sufficiently wide.

Mr. MADDEN. Is that because the gamblers who go out there have to have a wider road than anybody else?

Mr. SIMS. No; the people out there do not gamble; that is reserved for visiting gentlemen and statesmen. [Laughter.]

The committee amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

EXTENSION OF NINTH STREET NW.

Mr. SMITH of Michigan. Mr. Chairman, I now call up the bill (H. R. 16269) authorizing the extension of Ninth street NW.

The Clerk read the bill, as follows:

Be it enacted, etc., That under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within ninety days after the passage of this act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the supreme court of the District of Columbia a proceeding in rem to condemn the land that may be necessary for the extension of Ninth street NW. from Barry place to Euclid street, with a width of 50 feet along such line as said Commissioners may deem most advantageous: *Provided, however*, That the entire amount found to be due and awarded by the jury in said proceeding as damages, for and in respect of the land to be condemned for said extension plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits: *And provided further*, That nothing in said subchapter 1 of chapter 15 of said code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder.

SEC 2. That there is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal part.

The Clerk read the following committee amendments:

Strike out of page 2, line 8, the comma and the word "one-half."

Strike out of page 2, line 9, the words "and one-half."

Strike out of page 2 the entire line 10.

Strike out of page 2, lines 16 and 17, the words "and the United States in equal part" and insert a period after the word "Columbia" in line 16.

Mr. SMITH of Michigan. Mr. Chairman, on page 2, line 11, I move to strike out the word "appropriated" and insert the words "authorized to be expended."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, strike out the word "appropriated" and insert the words "authorized to be expended."

Mr. CRUMPACKER. Mr. Chairman, I have no objection to any of the amendments or to the bill, but I am prompted to inquire of the gentleman from Michigan whether he has investigated the feasibility of enacting a general law authorizing citizens who are interested in the widening of streets to petition the District Commissioners for authority to go into the courts to have land condemned for street purposes under limitations requiring the assessment of benefits of lands that are benefited and awarding damages for property taken for the use of public streets.

I have wondered if it is not practicable to have that kind of a system so as to relieve the Congress from the necessity of passing upon every proposition to widen a street or alley in the city. Here are now six or eight bills pending to-day for that purpose. Has such a scheme ever been considered by the District Committee?

Mr. SMITH of Michigan. I think the gentleman will remember that during the last three or four Congresses there has been a good deal of discussion about the question of opening the streets in the city of Washington, and it was during the last Congress that a special committee was appointed from the Committee on the District of Columbia, and that committee brought in a bill by which streets are now opened, and each of these street-opening cases specifically follows that law.

Mr. CRUMPACKER. Yes; but there can not be a street opened or widened in the city even for a block——

Mr. SMITH of Michigan. That is true.

Mr. CRUMPACKER. Without an act of Congress approved by the President. It seems to me that the law might be made so as to be not self-executing, but to confer authority under certain conditions upon the District Commissioners or some other body to authorize proceedings for the opening of a street upon petition signed by a certain number of property owners, or something like that.

Mr. SMITH of Michigan. I am inclined to think that if we took the time to read the various sections of the law which was passed, the gentleman would think that we had conferred as much authority on the Commissioners as we ought to.

Mr. DRISCOLL. I would like to ask the gentleman from Indiana if he knows of any city in this country in which streets could be widened or extended without definite action of the common council in those cities?

Mr. CRUMPACKER. I do not know of any, but I think it would not be bad legislation to confer upon the District Commissioners some of the functions usually exercised by the common councils of municipalities, and probably that power would be more wisely and safely administered or executed, under proper safeguards, than it is by the Congress of the United States.

Mr. DRISCOLL. This Congress is the common council of the District.

Mr. CRUMPACKER. Oh, I understand that.

Mr. DRISCOLL. And I would like to ask the gentleman if he would want to waive any of the powers now possessed by Congress with reference to this?

Mr. CRUMPACKER. Most certainly, if there is any feasible or practical way to relieve the Congress from a good deal of the burden of this detail legislation.

Mr. SMITH of Michigan. Mr. Chairman, I can assure the gentleman that the District Committee would be glad also to be relieved as much as possible of that work, but it does seem to me, under the law passed last Congress, and which is spoken of in all of these bills that we have introduced here, perhaps we have simplified it just as far as we are justified in doing it.

Mr. CRUMPACKER. That is possible. I have not studied the matter.

Mr. McMILLAN. Mr. Chairman, having been a member of the street-opening board and as a commissioner for about seven years in the city of New York, I am more or less acquainted with the matters of street opening.

I claim that Congress should have a voice in all street openings in the city of Washington. The beauty and grace of our city depends largely upon how our streets are opened. The same should have every care, and the original layout or plan of the city that was so well considered originally should be, as far as possible, carried out.

I claim that it is the most beautiful city of our country, because it is becoming the city of culture and learning and will be largely the city of retired wealth—the Paris of America—and as a factor of safety to see that the streets and avenues are well considered and that no selfish purpose creeps into the same, it should have the watchful eye of Congress as a factor to that safety. Congress should always have a voice in the direction of it. That may take up some of our time, but that time is well spent. I take pleasure in commending the good work of the present Commission of the District in having presented to the District Committee such street openings and widenings, which had every evidence of being well considered for the beauty and utility of the city. There was no evidence of any selfish motive that sometimes creeps in in the opening of streets simply for the purpose of real-estate speculations. There is no burden harder to bear to the property owners than the assessment for street openings if the same is not actually needed. It is like borrowing money and paying interest on it when you have no use for it. So perfect your map and consider all the physical and topographical elements in your new District. Beauty and utility should guide the pencil, compass, and square of the engineer; then you can improve your streets and avenues when needed, and real-estate interests, which are so largely a question in your city, would be well calculated and investments intelligently made. These locations may be good, but if poorly laid out and considered, they are largely lessened in value, and because of such the city will lose by way of less taxation and realty damage.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the committee amendments.

The question was taken, and the committee amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EXTENSION OF GIRARD STREET NW.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill (H. R. 17303) authorizing the extension of Girard street NW. from its western terminus to Fifteenth street NW., which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within ninety days after the passage of this act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute a proceeding in rem to condemn the land that may be necessary for the extension of Girard street from its western terminus to Fifteenth street, with a width of 60 feet, more or less, upon such lines as the Commissioners of the District of Columbia may deem most advantageous to the abutting property: *Provided, however*, That the entire amount found to be due and awarded by the jury in said proceeding as damages for and in respect of the land to be condemned for said extension shall be assessed by the jury as benefits: *And provided further*, That nothing in said subchapter 1 of chapter 15 of said code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder.

SEC. 2. That there is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts.

With the following committee amendments:

Strike out of page 2, line 8, the comma and the word "one-half."
Strike out of page 2, line 9, the words "and one-half."
Strike out of page 2 the whole of line 10.
Strike out of page 2, lines 16 and 17, the words "and the United States in equal parts."

Mr. SMITH of Michigan. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 10, strike out the word "appropriated" and insert in lieu thereof the words "authorized to be expended."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the committee amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EXTENSION OF NEW YORK AVENUE TO BLADENSBURG ROAD.

Mr. SMITH of Michigan. Mr. Chairman, I call up the bill H. R. 17297.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 17297) authorizing the extension of New York avenue from its present terminus near Fourth street NE. to the Bladensburg road.

Be it enacted, etc., That, under and in accordance with the provisions of subchapter 1 of chapter 15 of the Code of Law for the District of Columbia, within ninety days after the passage of this act, the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute a proceeding in rem to condemn the land that may be necessary for the extension of New York avenue from its present eastern terminus near Fourth street NE. to the proposed line of Montana avenue, and from Montana avenue to the Bladensburg road, upon such lines as the Commissioners may deem best for the public interests, with a width of 130 feet: *Provided, however*, That the entire amount found to be due and awarded by the jury in said proceeding as damages for and in respect of the land to be condemned for said extension shall be assessed by the jury as benefits: *And provided further*, That nothing in said subchapter 1 of chapter 15 of said code shall be construed to authorize the jury to assess less than the aggregate amount of the damages awarded for and in respect of the land to be condemned and the costs and expenses of the proceeding hereunder.

SEC. 2. That there is hereby appropriated, one-half from the revenues of the District of Columbia and one-half from any moneys in the Treasury not otherwise appropriated, an amount sufficient to pay the necessary costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of amounts awarded as damages, to be repaid to the District of Columbia from the assessments for benefits and covered into the Treasury to the credit of the revenues of the District of Columbia and the United States in equal parts.

The committee amendments were read, as follows:

Strike out of page 2, line 11, the comma and the word "one-half."
Strike out of page 2, line 12, the words "and one-half."
Strike out of page 2 the entire line 13.
Strike out of page 2, lines 19 and 20, the words "and the United States in equal parts," and insert a period after the word "Columbia" in line 19.

Mr. SMITH of Michigan. Mr. Chairman, I move, page 2, line 13, to strike the word "appropriated" and insert the words "authorized to be expended."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 13, strike the word "appropriated" and insert the words "authorized to be expended."

The question was taken, and the amendment was agreed to.

The committee amendments were agreed to.

The bill, as amended, was ordered to be laid aside with a favorable recommendation.

Mr. SMITH of Michigan. 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. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration sundry bills relating to the District of Columbia and had instructed him to report the same, some with and some without amendments, with the recommendation that the amendments be agreed to and the bills as amended do pass.

EXTENSION OF MERIDIAN PLACE.

The first bill reported from the Committee of the Whole House on the state of the Union was the bill (S. 3416) to amend an act entitled "An act authorizing the extension of Meridian place NW.," approved January 9, 1907.

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

WIDENING OF BENNING ROAD.

The next bill reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 4063) for the widening of Benning road, and for other purposes, with amendments.

Mr. SIMS. Mr. Speaker, has the bill been read the third time?

The SPEAKER. It has not.

Mr. SIMS. Mr. Speaker, after it is ordered to a third reading I wish to make a motion.

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

Mr. SIMS. Between the third reading and the passage of the bill I wish to make a motion.

The bill was read a third time.

Mr. SIMS. Mr. Speaker, I move to recommit the bill to the Committee on the District of Columbia, with instructions to report back the bill with the following amendment.

The SPEAKER. The Clerk will report the instructions in the nature of an amendment.

The Clerk read as follows:

That section 869 of an act of Congress entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, be amended by striking out the words "in the cities of Washington and Georgetown" and the words in said act "or within said District within 1 mile of the boundaries of said cities."

The SPEAKER. The gentleman from Tennessee moves to recommit the bill with the instructions just read.

The question was taken, and the Chair announced the "noes" seemed to have it.

On a division (demanded by Mr. SIMS) there were—ayes 70, noes 4.

So the bill was ordered to be recommitted.

Mr. SIMS. Now, Mr. Speaker, if it is in order, I ask that it be called up as amended and passed.

The SPEAKER. Well, the bill has been recommitted to the committee.

Mr. SIMS. With a direction for them to make a report. I suppose the committee is ready to make the report and have a vote.

The SPEAKER. There would have to be a report from the committee.

Mr. SMITH of Michigan. I understood, Mr. Speaker, the gentleman desired——

The SPEAKER. The gentleman did not put the word "forthwith" in his motion.

Mr. SMITH of Michigan. I could not just understand what the gentleman from Tennessee wanted to have done.

Mr. SIMS. Mr. Speaker, I move that the word "forthwith" be added to the motion.

Mr. KAHN. I make the point of order——

The SPEAKER. What is the suggestion of the gentleman?

Mr. SIMS. That the committee report back "forthwith."

The SPEAKER. But the motion has already been agreed to; it is not subject to amendment.

Mr. SIMS. Then the parliamentary situation is that the bill must be reported back by the committee.

The SPEAKER. That is the parliamentary situation, as the Chair understands it.

EXTENSION OF NINTH STREET NW.

The next bill reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 16269) authorizing the extension of Ninth street NW., with an amendment.

The amendment was agreed to.

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

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

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

EXTENSION OF GIRARD STREET NW.

The next bill reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 17303) authorizing the extension of Girard street NW.

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

EXTENSION OF NEW YORK AVENUE.

The next bill reported from the Committee of the Whole House on the state of the Union was the bill (H. R. 17297) authorizing the extension of New York avenue from its present terminus near Fourth street NE. to the Bladensburg road, with amendment.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

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

WIDENING OF BENNING ROAD.

Mr. SIMS. Mr. Speaker, I move to reconsider the vote by which the bill H. R. 4063, a bill for the widening of Benning road, and for other purposes, was recommitted to the District Committee.

The SPEAKER. The gentleman from Tennessee moves to reconsider the vote by which the bill H. R. 4063 was recommitted to the District Committee a few moments ago. The question is on the motion of the gentleman from Tennessee.

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

Mr. SIMS. Now, Mr. Speaker, I move to recommit in the same language, and adding thereto that the committee report forthwith.

The SPEAKER. The question is on the motion of the gentleman from Tennessee.

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

The SPEAKER. There is a question as to whether the gentleman's motion to reconsider was in order or not, but there was no point of order made and the motion was agreed to, and then the motion was adopted as amended.

Mr. SMITH of Michigan. I would like to ask a parliamentary question. What is the present status of the bill?

The SPEAKER. The present status is that the bill referred to awaits a report from the gentleman.

Mr. SMITH of Michigan. One further question. I would like to ask if "forthwith" means here what it ordinarily means—within twenty-four hours?

Mr. SIMS. It means at once.

The SPEAKER. It means forthwith. It requires, as the Chair understands it, a report of the bill from the committee, under instruction of the House.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to consider the bill in the House and in the Committee of the Whole.

The SPEAKER. But the gentleman must first report the bill.

Mr. PERKINS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PERKINS. Suppose the chairman of the committee does not report the bill; then what happens?

The SPEAKER. The Chair will not decide that question, because the chairman of the committee would be acting under the order of the House, and it is not a supposable case.

Mr. SMITH of Michigan. Mr. Speaker, I desire to report the bill.

The SPEAKER. The gentleman from Michigan reports a bill from the Committee on the District of Columbia, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 4063) for the widening of Benning road, and for other purposes.

With amendment.

Mr. SMITH of Michigan. Now, Mr. Speaker, I would like to have the amendment read.

The SPEAKER. The question is on the amendment offered by the gentleman from Tennessee [Mr. SIMS].

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

The SPEAKER. The Clerk at the Speaker's table reminds the Chair that, notwithstanding the bill has been engrossed and read a third time, as it is now it will have to be engrossed and read a third time, and, without objection, it will be considered as engrossed and read a third time.

There was no objection.

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

On motion of Mr. SMITH of Michigan, a motion to reconsider the vote by which the various other bills were passed was laid on the table.

EXTENDING MINING LAWS.

Mr. PRAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 206.

The Clerk read as follows:

A bill (S. 206) to extend the provisions of the mining laws of the United States to certain lands situated in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo fork of the Bitter Root River.

Be it enacted, etc., That all the provisions of the present mining laws of the United States are hereby extended and made applicable to the undisposed of lands in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo fork of the Bitter Root River, designated in the act of June 5, 1872: *Provided*, That all mining locations and entries heretofore made or attempted to be made upon said lands shall be determined by the Department of the Interior as if said lands had been subject to mineral location and entry at the time such locations and entries were made or attempted to be made: *And provided further*, That this act shall not be applicable to lands withdrawn for administration sites for use of the Forest Service.

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman and I talked about this bill. I have not my notes with me, but this bill by the report is stated to have been referred to the Secretary of the Interior, and the report made by the gentleman to the House contains a letter from the Secretary of the Interior indorsing the bill; but the bill which was referred to the Secretary of the Interior was not the bill which is now before the House in perhaps one of its most vital features. There was inserted in the bill this provision, which was not in the bill as referred to the Secretary of the Interior:

Provided, That all mining locations and entries heretofore made or attempted to be made upon said lands shall be determined by the Department of the Interior as if said lands had been subject to mineral location and entry at the time such locations and entries were made or attempted to be made.

That, of course, gives a preference right to certain people who in the past have made an effort to obtain mineral rights in these lands. That provision was not submitted to the Secretary of the Interior. Now, will the gentleman tell us why that should go into the bill?

Mr. PRAY. As to the inquiry made, I understand that all the features of this bill were passed upon favorably by the Secretary of the Interior. It was referred to him from the Senate. The Senate committee referred the bill to the Secretary of the Interior, and he made a favorable report. It is my understanding that all these provisions were referred to him. If this one was omitted from his letter, it must have been an oversight.

Mr. MANN. It was not in the bill referred to him at all.

Mr. PRAY. It was not?

Mr. MANN. No. He recommended the second proviso which is in the bill, but did not recommend the first provision, nor was the first proviso in the bill which was sent to the Secretary of the Interior. Now, then, there may be good reason for putting it in. I do not say it is objectionable; but where a bill is introduced pertaining to such matters and is sent to the Secretary of the Interior and a very vital feature is not included in the bill, there ought to be some reason given for it.

Mr. PRAY. This is a very important proviso, and it should be in. As a matter of fact, and in explanation of it, I would say to the gentleman that a number of mineral entries have been made on these lands and a great many valuable improvements have been placed thereon, and that provision was to enable the entrymen who have made these mining locations there to protect themselves and to protect their interests by giving them a preference right over others who had not made entries and improvements, but who would be likely to do so when the lands are opened to this character of entry.

Mr. MANN. The gentleman has investigated this matter and knows about it. I will ask him a question about it: This relates to extending the mineral laws, as I understand, over a

certain portion of an old Indian reservation which has been put into the public domain?

Mr. PRAY. Yes.

Mr. MANN (continuing). And the people supposed the mineral laws did extend over the reservation, and some of them made efforts to make mining claims and mineral rights on the land, and the Department subsequently held that they were not entitled to make these claims, because the mineral laws did not extend to this reservation.

Mr. PRAY. That is about the case.

Mr. MANN. Is the gentleman prepared to say that these people upon these reservations, who are now claiming the mineral rights, have endeavored to acquire those rights in good faith?

Mr. PRAY. Yes, sir. I would say to the gentleman that the facts are slightly different, however; that by the acts of 1872 and 1874, the latter being supplementary to the former law, but practically along the same line, fifteen townships above the mouth of Lo Lo fork of the Bitter Root River were opened to homestead settlement. Mineral entries were subsequently located along the side of the mountain there, and the Department had been allowing these entries to be made, and for a time patents were regularly issued. But later on the question as to the right to make mineral entry was carried to the Secretary of the Interior, and it was decided that they were not open to such entry, and it is in order to protect these entrymen that the enactment of this law is now sought, so as to enable them to protect their entries and improvements and receive their patents.

The SPEAKER. Is there objection?

Mr. SULZER. I object.

The SPEAKER. The gentleman from New York objects.

DAM ACROSS SAVANNAH RIVER.

The Speaker laid before the House the bill (H. R. 16621) to extend the time for the construction of a dam across Savannah River at Cherokee Shoals, with Senate amendments thereto.

The Senate amendments were read and agreed to.

PROPOSED LABOR LEGISLATION.

The SPEAKER. The Chair desires the indulgence of the House for a moment, to state that a few days ago a committee representing the Federation of Labor called upon the Speaker and presented a memorial. In connection with the presentation of that memorial there were brief remarks by the Speaker and by one member of the committee. The Chair will ask unanimous consent that the memorial and the remarks be printed in the RECORD.

Mr. SULZER. Mr. Speaker, what is this about?

The SPEAKER. The Chair has stated what it is about, but will state again. A few days ago a committee that purported to be from the Federation of Labor, and no doubt was, called upon the Speaker of the House and presented a memorial.

Mr. SULZER. Is this in regard to the labor leaders who called on you?

The SPEAKER. Yes.

Mr. SULZER. Then I have no objection.

The SPEAKER. The gentleman from New York has no objection, and if there be no objection, it will be printed in the RECORD.

There was no objection.

The matter referred to is as follows:

INTERVIEW BETWEEN HON. J. G. CANNON, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND A COMMITTEE OF SEVEN, REPRESENTING NATIONAL AND INTERNATIONAL TRADE AND LABOR UNIONS AND ORGANIZATIONS OF FARMERS.

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., Thursday, March 19, 1908, 4 p. m.

Present: Hon. JOSEPH G. CANNON, the Speaker; Mr. Samuel Gompers, Mr. W. R. Fairley, Mr. Joseph F. Valentine, Mr. T. C. Parsons, Mr. P. J. McArdle, Mr. C. M. Barnett, and Mr. W. D. Mahon.

Mr. GOMPERS. Mr. Speaker, we realize that your time is very much occupied, and it is therefore not necessary to prolong the preliminaries or take more of your time than is required to present to you the matter that I referred to in my note of yesterday.

The conference held here in the last few days has directed us, as a committee, to present its views to you as the representative of the majority party in power. What we have to say has been reduced to writing, and if you consent, Mr. Fairley, the chairman of the committee, will read it. It will take only about twenty minutes to read it.

The SPEAKER. Very well; have you a copy that you will leave?

Mr. GOMPERS. We will leave the original.

The SPEAKER. All right. Do not stand up, Mr. Fairley, unless you want to.

Mr. FAIRLEY. You will understand better. My English is not the best in the world.

The SPEAKER. If your legs are good, I guess your English will be all right.

Mr. Fairley read the memorial, as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 19, 1908.

We, the official representatives of the national and international trade and labor unions and organization of farmers, in national conference assembled, in the District of Columbia, for the purpose of considering and taking action deemed necessary to meet the situation in which the working people of our country are placed by recent decisions of the courts, now appear before Congress to voice the earnest and emphatic protest of the workers of the country against the indifference, if not actual hostility, which Congress has shown toward the reasonable and righteous measures proposed by the workers for the safeguarding of their rights and interests.

In the name of labor we now urge upon Congress the necessity for immediate action for relief from the most grave and momentous situation which has ever confronted the working people of this country. This crisis has been brought about by the application by the Supreme Court of the United States of the Sherman antitrust law to the workers both organized and in their individual capacity.

Labor and the people generally look askance at the invasion of the court upon the prerogatives of the law-making and executive departments of our Government.

The workers feel that Congress itself must share our chagrin and sense of injustice when the courts exhibit an utter disregard for the real intent and purpose of laws enacted to safeguard and protect the workers in the exercise of their normal activities. There is something ominous in the ironic manner in which the courts guarantee to workers:

The "right" to be maimed and killed without liability to the employer;

The "right" to be discharged for belonging to a union;

The "right" to work as many hours as employers please and under any conditions which they may impose.

Labor is justly indignant at the bestowal or guaranteeing of these worthless and academic "rights" by the courts, which in the same breath deny and forbid to the workers the practical and necessary protection of laws which define and safeguard their rights and liberties and the exercise of them individually or in association.

The most recent perversion of the intent of a law by the judiciary has been the Supreme Court decision in the hatters' case, by which the Sherman antitrust law has been made to apply to labor, although it was an accepted fact that Congress did not intend the law to so apply and might even have specifically exempted labor but for the fear that the Supreme Court might construe such an affirmative provision to be unconstitutional.

The workers earnestly urge Congress to cooperate with them in the upbuilding and educating of a public sentiment which will confine the judiciary to its proper function, which is certainly not that of placing a construction upon a law the very opposite of the plain intent of Congress, thus rendering worthless even the very moderate efforts which Congress has so far put forth to define the status of the most important, numerous, and patriotic of our people—the wage-workers, the producers of all wealth.

We contend that equity, power, and jurisdiction, discretionary government by the judiciary for well-defined purposes and within specific limitations, granted to the courts by the Constitution, has been so extended that it is invading the field of government by law and endangering individual liberty.

As government by equity, personal government, advances, republican government, government by law, recedes.

We favor enactment of laws which shall restrict the jurisdiction of courts of equity to property and property rights and shall so define property and property rights that neither directly nor indirectly shall there be held to be any property or property rights in the labor or labor power of any person or persons.

The feeling of restless apprehension with which the workers view the apathy of Congress is accentuated by the recent decision of the Supreme Court.

By the wrongful application of the injunction by the lower courts the workers have been forbidden the right of free press and free speech, and the Supreme Court in the hatters' case, while not directly prohibiting the exercise of these rights, yet so applies the Sherman law to labor that acts involving the use of free press and free speech, and hitherto assumed to be lawful, now become evidence upon which triple damages may be collected and fine and imprisonment added as a part of the penalty.

Indeed, the decision goes so far as to hold the agreements of unions with employers to maintain industrial peace to be "conspiracies" and the evidence of unlawful combinations in restraint of trade and commerce, thus effectually throttling labor by penalizing as criminal the exercise of its normal, peaceful rights and activities. The fact that these acts are, in reality, making for the uplift and the betterment of civilization as a whole does not seem to be understood or appreciated by the courts. The workers hope for a broader and more intelligent appreciation from Congress.

It is not necessary here to enter into a detailed review of this decision.

The workers ask from Congress the relief which it alone can give from the injustice which will surely result from the literal enforcement of the Sherman antitrust law as interpreted by this decision. The speedy enactment of labor's proposed amendment to the Sherman antitrust law will do much to restore the rights from which the toilers have been shorn.

We submit for consideration, and trust the same will be enacted, two provisions amendatory of the Sherman antitrust law, which originally were a part of the bill during the stages of its consideration by the Senate and before its final passage, and which are substantially as follows:

That nothing in said act (Sherman antitrust law) or in this act is intended, nor shall any provision thereof hereafter be enforced, so as to apply to organizations or associations not for profit and without capital stock, nor to the members of such organizations or associations.

That nothing in said act (Sherman antitrust law) or in this act is intended, nor shall any provision thereof hereafter be enforced so as to apply to any arrangements, agreements, or combinations among persons engaged in agriculture or horticulture, made with a view of enhancing the price of their own agricultural or horticultural products.

It is clearly an unwarranted assumption on the part of the courts or others to place the voluntary associations of the workers in the same category as trusts and corporations owning stock and organized for profit.

On the one hand we have the trusts and corporations dealing with purely material things and mostly with the inanimate products of labor; on the other hand there are workers, whose labor power is part of their very life and beings and which can not be differentiated from their ownership in and of themselves.

The effort to categorically place the workers in the same position as those who deal in the products of labor of others is the failure to discern between things and man.

It is often flippantly averred that labor is a commodity, but modern civilization has clearly and sharply drawn the line between a bushel of coal, a side of pork, and the soul of a human, breathing, living man.

The enactment of the legislation which we ask will tend to so define and safeguard the rights of the workers of to-day and those who will come after them that they may hope to continue to enjoy the blessings of a free country as intended by the founders of our Government.

In the relief asked for in the proposed amendment to the Sherman antitrust law which we present to Congress, labor asks for no special privileges and no exemption from the treatment which any law-abiding citizen might hope to receive in a free country.

Indeed, the present Parliament of Great Britain, at its session in December, 1906, enacted into law what is known as the "trades dispute act." It is brief, and we therefore quote its provisions in full:

"1. It shall be lawful for any person or persons, acting either on their own behalf or on behalf of a trade union or other association of individuals, registered or unregistered, in contemplation of or during the continuance of any trade dispute, to attend for any of the following purposes at or near a house or place where a person resides or works or carries on his business or happens to be—

"(1) For the purpose of peacefully obtaining or communicating information;

"(2) For the purpose of peacefully persuading any person to work or abstain from working.

"2. An agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute shall not be ground for an action if such act when committed by one person would not be ground for an action.

"3. An action shall not be brought against a trade union or other association aforesaid for the recovery of damage sustained by any person or persons by reason of the action of a member or members of such trade union or other association aforesaid."

We submit that if such relief from the onerous conditions brought about by the Taff-Vale decision of the highest court of Great Britain can be enacted by a monarchial government, there ought to be no hesitancy in conceding it in our own Republic.

The unions of labor aim to improve the standard of life; to uproot ignorance and foster education; to install character, manhood, and an independent spirit among our people; to bring about a recognition of the interdependence of man upon his fellow-man. We aim to establish a normal workday; to take the children from the factory and workshop and give them the opportunity of the schools, the home, and the playground. In a word, our unions strive to lighten toil, educate their members, make their homes more cheerful, and in every way contribute an earnest effort toward making life the better worth living. To achieve these praiseworthy ends we believe that all honorable and lawful means are justifiable and commendable and should receive the sympathetic support of every right-thinking American.

Labor asks only for justice. It asks that it be not victimized and penalized under laws never intended to apply to it.

We hope for a prompt recognition on the part of Congress of the wage workers' very reasonable and moderate insistence in this important matter.

In addition, the other most important measures which labor urges are:

The bill to regulate and limit the issuance of injunctions—Pearre bill.

Employers' liability bill.

The bill extending the application of the eight-hour law to all Government employees and those employed upon work for the Government, whether by contractors or subcontractors.

There are other measures pending which we regard as important, but we feel especially justified in urging the passage of those mentioned, because they have been before Congress for several sessions and upon which extended hearings have been had before committees, every interest concerned having had ample opportunity to present arguments, and there is no good reason why action should longer be deferred by Congress.

We come to Congress hoping for a prompt and adequate remedy for the grievances of which we justly complain. The psychological moment has arrived for a total change of governmental policy toward the workers; to permit it to pass may be to invite disaster even to our national life.

In this frank statement of its grievances the attitude of labor should not be misinterpreted, nor should it be held as wanting in respect for our highest lawmaking body.

That the workers, while smarting under a most keen sense of injustice and neglect, turn first to Congress for a remedy, shows how greatly they still trust in the power and willingness of this branch of the Government to restore, safeguard, and protect their rights.

Labor proposes to aid in this work by exercising its utmost political and industrial activity, its moral and social influence, in order that the interests of the masses may be represented in Congress by those who are pledged to do justice to labor and to all our people, not to promote the special interests of those who would injure the whole body politic by crippling and enslaving the toilers.

Labor is most hopeful that Congress will appreciate the gravity of the situation which we have endeavored to present. The workers trust that Congress will shake off the apathy which has heretofore characterized it on this subject and perform a beneficent social service for the whole people by enacting such legislation as will restore confidence among the workers that their needs as law-abiding citizens will be heeded.

Only by such action will a crisis be averted. There must be something more substantial than fair promises. The present feeling of widespread apprehension among the workers of our country becomes more acute every day. The desire for decisive action becomes more intense.

While it is true that there is no legal appeal from a Supreme Court decision, yet we believe Congress can and should enact such further legislation as will more clearly define the rights and liberties of the workers.

Should labor's petition for the righting of the wrongs which have been imposed upon it and the remedying of injustices done to it pass unheeded by Congress and those who administer the affairs of our Government, then upon those who have failed to do their duty and not upon the workers will rest the responsibility.

The labor union is a natural, rational, and inevitable outgrowth of our modern industrial conditions. To outlaw the union in the exercise of its normal activities for the protection and advancement of labor and the advancement of society in general is to do a tremendous injury to all people.

The repression of right and natural activities is bound to finally break forth in violent form of protest, especially among the more ignorant of the people, who will feel great bitterness if denied the consideration they have a right to expect at the hands of Congress.

As the authorized representatives of the organized wage-earners of our country, we present to you in the most conservative and earnest manner that protest against the wrongs which they have to endure, and some of the rights and relief to which they are justly entitled. There is not a wrong for which we seek redress, or a right to which we aspire which does not or will not be equally shared by all the workers—by all the people.

While no Member of Congress or party can evade or avoid his or their own individual or party share of responsibility, we aver that the party in power must, and will, by labor and its sympathizers, be held primarily responsible for the failure to give the prompt, full, and effective Congressional relief we know to be within its power.

We come to you not as political partisans, whether Republican, Democratic, or other, but as representatives of the wageworkers of our country, whose rights, interests, and welfare have been jeopardized and flagrantly, woefully disregarded and neglected. We come to you because you are responsible for legislation or the failure of legislation. If these, or new questions, are unsettled and any other political party becomes responsible for legislation, we shall press home upon its Representatives and hold them responsible, equally as we now must hold you.

SAM'L GOMPERS,
W. R. FAIRLEY,
JOS. F. VALENTINE,
T. C. PARSONS,
P. J. MCARDLE,
C. M. BARNETT,
W. D. MAHON,
Committee.

Samuel Gompers, President;
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D. A. Hayes, Fifth Vice-President;
Daniel J. Keefe, Sixth Vice-President;
William D. Huber, Seventh Vice-President;
Joseph F. Valentine, Eighth Vice-President;
Frank Morrison, Secretary; and
John B. Lennon, Treasurer.

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Norman C. Sprague, International Printing Pressmen's Union.
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C. M. Barnett, American Society of Equity.
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Timothy Healy, International Brotherhood of Stationary Firemen.
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Martin Lawlor, United Hatters of North America.
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F. M. Ryan, Bridge and Structural Iron Workers' International Association.
William J. Barry, Pilots' Association.
A. B. Lowe, International Brotherhood of Maintenance of Way Employees.
W. W. Beattie, Commercial Telegraphers' International Union of America.
Wesley Russell, Commercial Telegraphers' International Union of America.
Percy Thomas, Commercial Telegraphers' International Union of America.
J. E. Davenport, International Brotherhood of Maintenance of Way Employees.
A. B. Wilson, International Brotherhood of Maintenance of Way Employees.
M. J. Shea, International Stereotypers and Electrotypers' Union.
James L. Gernon, Patternmakers' League of North America.
J. M. McElroy, Brush Makers' International Union.
T. A. Rickert, United Garment Workers of America.
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H. Hinder, United Cloth Hat and Cap Makers of North America.
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A. T. McDaniel, Order of Railroad Telegraphers.
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Thomas C. Nolan, Brotherhood of Boiler Makers and Iron Ship Builders.
William Grant, Brotherhood of Boiler Makers and Iron Ship Builders.
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William D. Huber, United Brotherhood of Carpenters and Joiners.

James Kirby, United Brotherhood of Carpenters and Joiners.
Samuel Gompers, Cigarmakers' International Union.
G. W. Perkins, Cigarmakers' International Union.
Thomas F. Tracy, Cigarmakers' International Union.
J. T. Carey, International Brotherhood of Paper Makers of North America.
J. B. Espey, International Brotherhood of Bookbinders.
M. J. Kelly, International Brotherhood of Bookbinders.
John F. Breen, Hod Carriers and Building Laborers' International Union.
Max Morris, Retail Clerks' International Protective Association.
J. A. Anderson, Retail Clerks' International Protective Association.
Herman Robinson, Retail Clerks' International Protective Association.
D. F. Manning, Retail Clerks' International Protective Association.
John F. Tobin, Boot and Shoe Workers' Union.
John P. Murphy, Boot and Shoe Workers' Union.
William Silver, Granite Cutters' International Association.
W. A. James, International Brotherhood of Stationary Firemen.
F. M. Nurse, International Brotherhood of Stationary Firemen.
J. C. Balhorn, Brotherhood of Painters, Decorators, and Paperhangers of America.
Charles C. Bradley, American Wire Weavers' Protective Association.
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William J. Spencer, United Association of Plumbers, Gas Fitters, Steam Fitters, and Steam Fitters' Helpers.
Joseph N. Weber, American Federation of Musicians.
T. J. Sullivan, Hotel and Restaurant Employees' International Alliance.
J. H. Williams, Order of Railway Telegraphers.
F. L. Mahan, International Plate Printers.
Ed. L. Schrack, International Plate Printers.
John J. Hanrahan, Brotherhood of Locomotive Firemen and Engineers.
A. P. Kelly, Brotherhood of Locomotive Firemen and Engineers.
H. Brosmer, Brotherhood of Locomotive Firemen and Engineers.
John Manning, Shirt, Waist, and Laundry Workers' International Union.
C. A. Laflin, Brotherhood of Locomotive Firemen and Engineers.
William H. Frazier, International Seamen's Union.
T. J. Duffy, International Brotherhood of Operative Potters.
Frank H. Hutchens, International Brotherhood of Operative Potters.
Ed. Menge, International Brotherhood of Operative Potters.
V. A. Olander, International Seamen's Union.
Frank L. Ronemus, Brotherhood of Railway Car Men of America.
George C. Griffin, United Brotherhood of Carpenters and Joiners of America.
Louis Kemper, International Union of Brewery Workers of America.
A. J. Kugler, International Union of Brewery Workers of America.
William Hellmuth, International Union of Brewery Workers of America.
T. C. Parsons, International Typographical Union.
George G. Seibold, International Typographical Union.
D. A. Hayes, Glass Bottle Blowers' Association.
William Launer, Glass Bottle Blowers' Association.
James J. Dunn, Glass Bottle Blowers' Association.
F. H. Williams, Glass Bottle Blowers' Association.
James McHugh, Journeymen Stone Cutters' Association.
Daniel J. Keefe, International Longshoremen's Association.
Thomas Gallagher, International Longshoremen's Association.
T. A. Rickert, United Garment Workers of America.
J. J. Flynn, Interior Freight Handlers and Warehousemen's Union.
P. J. Flannery, Interior Freight Handlers and Warehousemen's Union.
W. J. McSorley, Wood, Wire, and Metal Lathers' International Union.
R. V. Brandt, Wood, Wire, and Metal Lathers' International Union.
P. J. McArdle, Amalgamated Association of Iron and Steel Workers.
John Williams, Amalgamated Association of Iron and Steel Workers.
Jacob Fischer, Journeymen Barbers' International Union.
Frank K. Noschang, Journeymen Barbers' International Union.
John Golden, United Textile Workers of America.
Albert Hibbert, United Textile Workers of America.
Daniel J. Tobin, International Brotherhood of Teamsters.
Matt Comerford, International Union of Steam Engineers.
F. A. Didsbury, Pocket Knife Blade Grinders and Finishers' National Union.
Edward W. Potter, Amalgamated Meat Cutters and Butcher Workers of North America.
Homer D. Call, Amalgamated Meat Cutters and Butcher Workers of North America.
H. L. Eichelberger, Amalgamated Meat Cutters and Butcher Workers of North America.
A. L. Webb, Amalgamated Meat Cutters and Butcher Workers of North America.
Frank Gehring, Lithographers' International Protective and Beneficial Association.
J. F. Murphy, International Union of Elevator Constructors.
Frederick Benson, International Seamen's Union.
John H. Brinkman, Carriage and Wagon Workers' International Union.
P. F. Richardson, International Car Workers.
Joseph Reilly, United Brotherhood of Carpenters.
I. B. Kuhn, Cigarmakers' International Union.
Thomas McGilton, Brotherhood of Painters, Decorators, and Paperhangers.
John Weber, Bakery and Confectionery Workers' International Union.
James J. McCracken, International Union of Steam Engineers.
James H. Hatch, Upholsterers' International Union.
J. F. McCarthy, Hotel and Restaurant Employees' International Alliance.

Mr. GOMPERS. That is signed by the exceutive officers of all the national and international unions of America, with the names of their organizations, and also of the American Society of Equity, an organization of farmers; and to-day we received a telegram from the Farmers' Cooperative Union, the secretary of which is at Fort Worth, Tex., expressing full sympathy with the purposes of our conference.

(Mr. Fairley submits memorial to the Speaker.)

Mr. GOMPERS. The names are not written there. They are on the original document, and this is typewritten for better legibility.

The SPEAKER. Gentlemen, is that all?

Mr. GOMPERS. Yes.

The SPEAKER. Gentlemen, this communication will, under the rules of the House, be referred to the appropriate committee for consideration.

I have listened with much interest to the reading of your communication, and I now speak as a Representative, and not for Congress. The House of Representatives, embracing almost 400 Members, is one of the coordinate branches of Congress, and, of course, is represented substantially by two great party organizations. As one Representative, I realize fully that this is a Government through parties and party responsibility, the parties changing from time to time as the people may determine at the ballot box.

It is proper for me to say, touching your reference to the employers' liability law recently construed by the court of last resort, which under our form of government is supreme in the construction of the law, that I am satisfied that the sentiment of the House is favorable to the enactment of such an employers' liability bill, in conformity with the opinion of the court, as will give a remedy to employees for injuries, taking care, so far as Congress or the House may be able to do so, that the law to be enacted is so framed that it will be sustained by the courts. I can not tell just when, because with respect to that and to the 15,000 other bills that have already been introduced and referred to the appropriate committees, the House, as is the case with any other deliberative body in the orderly transaction of business, must await the action of the committees. And yet I apprehend and am convinced that after full consideration there will be action on that bill by the House and possibly or probably, as far as I know and believe, by the Senate.

There is another bill concerning which I have received many letters and memorials from various localities throughout the country, known as the "Clapp bill," a bill that pertains to the act that was passed that prevented the issuance of free transportation, with an exception as to railway employees. The Clapp bill has passed the Senate and is now pending before the House Committee on Interstate and Foreign Commerce, and, I am informed, is being considered by that committee. I am satisfied, from the best information I can obtain, that it will in the near future be reported to the House, and I have every reason to believe that on consideration it will be passed by the House.

You refer to many matters in your protest, prepared with much care and entitled to candid and courteous and searching investigation. I can not discuss the various matters as a Representative with you at this time. But I will make one remark, and I will make it for myself: That as to our form of government, with the three coordinate branches, executive, legislative, and judicial, I believe it to be the best form of government on earth. If somebody having the attributes of Deity, with all wisdom and power, could act, then there would be a better government than any that human beings could devise. But it has been so ordered, under God's law in the beginning, that the human race must work out its own salvation, and in a government of the people, in the last analysis the people control. And in the fullness of time, if there be a just public sentiment, all laws, constitutional or statutory, will conform to that just sentiment, and ought to conform to it.

Unfortunately all men are not wise, and in the struggle for subsistence, law is necessary to curb those who would unfairly profit at the expense of others. It is a long road. When you and I are dead and forgotten, in this government of the people, new or additional legislation, with new and changed conditions, will no doubt be necessary. I am getting to be now an old man—past three score and ten—but as for me, while I appreciate the necessity on the part of all our people of contributing to a just public sentiment, as one individual I believe that after discussion, full, free, and frank, no law should be enacted or can abide that does not, like the grace of God, cover every individual in the Republic, whether he be wise or unwise, whether he be rich or poor, whether he labor in the countinghouse or sail upon the sea, or toil in the mine or factory.

I am very glad indeed to have met you, gentlemen.

Mr. GOMPERS. May I say just a word in connection with this matter?

The SPEAKER. Yes.

Mr. GOMPERS. The decision of the Supreme Court, recently handed down in the hatters' case, the case of Dietrich Loewe and others against Martin Lawler and others, commonly known as the "hatters' case," establishes a rule of law that the very agreements that our organizations made with the employers are in unlawful restraint of trade and become amenable to all the provisions of the Sherman antitrust law; that these agreements with employers to maintain industrial peace, or to reestablish peace with employers of workmen after any rupture has occurred, are evidences of conspiracies and unlawful restraint of trade, making not only the men who may be engaged in the trade disputes, in the organizations, and the officers of the organizations themselves, amenable to the law, prescribing not only threefold damages for any injury received by reason of a dispute or an attempt to reach an agreement, but also rendering the men and the organizations which I have just mentioned liable to imprisonment for one year, or a fine of $5,000, or both, at the discretion of the court.

Under the interpretation of the law by the Supreme Court in its decision, there is not anything that a labor organization can do or that the laborers can do in an associated effort, even if they be unorganized prior to the dispute, but which is unlawful. It is indeed true that under the decision our very organized existence is unlawful, rendering our men and our organizations, all of us, amenable to the law and to the penalties and punishments prescribed therein. Such a condition of affairs, of course, we regard not only as unfair and improper, but intolerable.

There are, I should say, roughly speaking, three million or more workmen in the United States who are organized in these unions, every one of them belonging to an organization which is an unlawful organization under that decision, and every member of the organization is acting in violation of the law; and there is not a thing of an ordinary character that these men or these organizations can do but what is in violation of the law under this decision of the court.

You can readily understand the position in which we are placed, and the question arises, Is it wise that such a condition should continue, and whether Congress ought not to remedy that?

How voluntary associations, not organized for profit or owning or issuing capital stock can be placed in the same category with those who deal in the products of others is beyond our ken. Is it wise, is it practicable, is it good for all our people, for the institutions of our country, that three millions of men who have associated themselves in organizations to advance their natural rights, the ownership of themselves, their power to labor, should be outlawed?

I may say this, Mr. Speaker, that the organizations of labor have in our country gone on practical lines, not violent, not on the lines that we find movements of labor have pursued in other countries, but on the contrary it has been the aim to conduct organizations and their efforts strictly within the law and with a desire to be within the law always. I think that in all the world there is not a condition parallel with ours at this moment, when there are so many unemployed workers; yet I doubt if there could be duplicated anywhere, with respect to what we are fortunate to have in the United States; that is, a feeling of security both for life and property, notwithstanding that awful condition of affairs. It has not come by mere accident. It is

true that the influence of American institutions and of American ideas and ideals has contributed much; but from our observation we are justified in the statement that there is no element in all our country that has instilled such a feeling and sense of self-restraint as the organizations of labor into the working people of the country. Our efforts in this direction, in the direction to instill still further this sense into the minds of our fellow-workmen and operate upon their course of conduct, ought to have some consideration. Is that influence for good to be wholly ignored and our organizations to be wholly outlawed, our men outlawed, our organizations attempted to be dissolved in some form or other by the process of Government execution, or suits at law, instituted by anybody, and under the provisions of a law that never was intended to apply to voluntary associations of labor? It is not good for the present, and it must be exceedingly injurious, if not dangerous, to the future. If we can not conduct our movement as we have conducted it heretofore, so that in the future the men who have endeavored to devote their abilities, whatever they may be, to develop this spirit of self-restraint and respect—if these are outlawed, then there is no use, there is no place, for the men of the American labor movement where they can exercise any influence whatever for rationalism, for development, for progress upon lawful lines.

It is not a question of position in the labor movement, or salary in the offices of the labor movement, to which we refer, because I may say with every degree of confidence that there is not a man within my knowledge who is devoting his efforts to the labor movement who could not do infinitely better, so far as financial consideration is concerned, if he devoted half his ability and energy in any other direction. It is not that. But if the men who are now devoting their energies in the labor movement are by the law outlawed and can not exercise that influence for good among their fellows, discontent with existing wrongs, the defense against greed, the hope to aspire to something better, will not die, but it will find its expression somewhere else in some other form. What that form is or may be no one can foretell, but that it will be along the lines of rational development and progress I doubt very much.

It is a matter, really considered from that view point, of choice as to whether those in responsible positions, having opportunity to determine—whether the labor movement, as we understand it and as we have tried to conduct it, shall be lawful and proper and recognized for its social effect and for its support of republican institutions, as you and all of us understand them and as you have so very splendidly portrayed them, shall continue, or whether this discontent shall find its expression in another form, whatever that may be.

The feeling among our fellow-workmen all through the country is certainly more intense than we could attempt to describe in words. What they feel should be accomplished, and how it is to be done is diverse, and the true portrayal of it I can not give. But as I say, the feeling is very intense. The impatience for relief is exceedingly marked; and we have endeavored—in conference the representatives of fully two million organized workers and of a large number of farmers have met together and discussed this matter, as well as the executive council of the American Federation of Labor, meeting two days in advance—we have tried to express in the document, in as moderate and concise a form as possible, what we believe to be the best way out of the situation; and for that reason we have submitted some suggestions in order to meet and overcome the situation.

The SPEAKER. Mr. Gompers, I have read the case that you have referred to, the "hatters' case." I know nothing of that case except what appears of record. When a case is presented to a court and is decided, whatever is necessary to decide touching the matter at issue, upon the record as presented, makes a precedent. That case alone is decided, and it then becomes the law for all similar cases. I do not profess to be a great lawyer. On a country circuit thirty years ago I got my bread and butter, after I had grown up——

Mr. MAHON. A cornfield lawyer?

The SPEAKER. The cornfield preceded that.

Mr. MAHON. Mr. TILLMAN said he was that kind of a lawyer.

The SPEAKER. The cornfields abounded in Illinois, and still do.

Now, frankly, as I read that case, I do not find anything in it that makes unlawful the voluntary association of labor to better its condition, nor do I find anything in the decision involved in the record that would render unlawful the organization of a union and the unity of a contract. What may be held by the courts in the future, when a case is presented, I am sure I do not know; but I think I know one thing, that as to the right of voluntary organization—and I emphasize voluntary organization—of men who live in the sweat of their faces to better their condition, whether it be a society, a benevolent society, or whether it be a so-called "labor organization," it has the right to its organization, and will continue and ought to continue to have that right protected by law, subject only to one limitation—that in any legislation enacted it shall apply to all alike.

Do not misunderstand me. I have said many times that if by the exercise of my muscle, crossed on skill, I lived in the sweat of my face, I should belong to the organization which, under the changed conditions of production, you call a labor organization. So far as I am concerned, I do not believe that the courts will hold, even under existing law, what you fear. If there is anything in the law that prevents labor from organizing so as to enable it, through organization, to make contracts with employers, I am ready to go, hotfoot, to help change the law.

Confining myself to the record in the hatters' case, I find that the record showed, briefly, that there was a boycott prosecuted against an American citizen, or citizens, who were engaged in the production of hats. The record shows that they did not recognize the union; whereupon a boycott was organized all across the continent, which extended to their customers, and in turn to the customers of their customers, and so on. That is the record, and it was upon that record that that decision was made.

I believe the interests of union labor lie along the line of cooperation under the law; and there is not a nerve in my body that fails to protest and cry aloud against two things: The black list and the boycott. I am quite in harmony with the views of the commission in the anthracite coal strike. I do not believe union labor is to be harmed, but rather is to be strengthened by insisting that the black list shall not exist, and that the boycott shall not exist.

I say again, your memorial will be referred, and I believe it will receive honest and careful consideration by the House of Representatives. And if it does not, Brother Gompers, there is an appeal that is open to me, and you, and every other citizen; that is, to appeal to all the people, and they will condemn or approve at the ballot box, after full discussion. As one who believes in the policy that I have indicated I am willing to meet and discuss it. I may be wrong, but if so, and if the party that I cooperate with is wrong, we ought to fail, and the same with every other party.

Thank God, I am an optimist. I am not in sympathy in respect to one thing that you say, namely, that you can not speak as to what may happen. I think I can. I believe this Caucasian race of yours and mine is competent in the United States for self-government.

Mr. GOMPERS. Let me say just a word. In one of the Supreme Court decisions, under the Erdman Act, it was decided that employers may discharge workmen for any reason whatever.

The SPEAKER. Yes; and the workman may refuse to be employed for any reason whatever.

Mr. GOMPERS. The black list—that is, one employer sending to another employer information regarding an employee, with a request, perhaps, for his nonemployment or his discharge——

The SPEAKER. Yes; and where that would amount to concerted action amongst employers, that would constitute the black list, and I say, blast the black list!

Mr. GOMPERS. That is upheld by that decision.

The SPEAKER. I do not think that is involved in it at all. Suppose you are an employer and I come to you, Mr. Gompers, and I want to be employed by you. You say to me, "Do you belong to union labor, or are you outside of union labor?" I would say according to the fact. Suppose I would say, "I am outside of union labor," and you would say, "Then I will not employ you." Or suppose I should say, "I am inside of union labor," and you would say, "I will not employ you." That is your right. You could employ or not employ for any fantastic notion, as between you and me, that you chose to. But if you go out to other employers and procure or induce them not to employ me, so that I, weary of foot, may go and knock and knock for employment, and the answer comes, on account of such conspiracy, "I will not employ you"—that, I say, is the black list, and I would damn it.

Mr. GOMPERS. In according the employer the right to discharge an employee without reason, or for any reason, that implies unquestionably the right to discharge him because he is a member of a union, whether by an association of employers or by an individual.

The SPEAKER. Oh, nay, nay! A man may employ or not employ for any reason, or no reason. A man may receive or refuse employment for any possible reason. Take a man that belongs to union labor. You may lawfully refuse to employ him. Take a man that does not belong to union labor. You may lawfully refuse to employ him. But when you reach out, after you have exercised your right not to employ—you may have done it foolishly and selfishly and wickedly—when you reach out and enlist people that stretch across the continent and pursue the poor fellow and, by virtue of that pursuit which is, in effect, a conspiracy, he goes footsore and hungry without employment, that is a different thing. That is a black list and unlawful.

After all, if we could go out to the people, all of us, and could get the records and stand and fight it out on the merits, it would be well. But all of us never have done that, and never will, short of the millennium, do that, because in contests as to who shall be intrusted with power we fight fair or we seize hold of something that is unfair, we strike above the belt or we strike below the belt. However, it has improved in that respect since I was a boy. Politics is fairer to-day in discussion than it ever was before in sixty years.

Gentlemen, I am glad to have met you, and I want to say another thing right here, and I say it because I mean it: There are no eight men or no hundred men, if you have that many gathered together here, that have greater responsibilities than you have, and I want you to know that I realize that. I may not agree with you; we have not always agreed in the past, and when we do not agree, man to man, we fight it out. But I ask you to understand that I realize the responsibility that rests upon you gentlemen and upon those that you cooperate with, and I do not object in the slightest to your organization, because it tends, when it comes out in the sunlight, after full discussion, to the betterment of the race. So do not go away feeling that I have gotten a prejudice or that I would embarrass you.

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. 5639. An act to amend an act entitled "An act to authorize the construction of a bridge across the Missouri River at a point to be selected within 5 miles north of the Kaw River in Wyandotte County, State of Kansas, and Clay County, State of Missouri, and to make the same a post route," approved December 17, 1902—to the Committee on Interstate and Foreign Commerce.

S. 5966. An act to establish a fish-hatching and fish-culture station for the hatching and propagation of shad upon or near the seacoast in the State of Georgia—to the Committee on the Merchant Marine and Fisheries.

S. 2999. An act to amend an act entitled "An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes," approved February 27, 1907—to the Committee on the District of Columbia.

S. 2232. An act to correct the naval record of Charles C. Lee—to the Committee on Naval Affairs.

S. 3973. An act to amend the laws of the United States relating to registration of trade-marks—to the Committee on Patents.

S. 2986. An act to acquire certain land in Hall & Elvan's subdivision of Meridian Hill, in the District of Columbia, for a public park—to the Committee on Appropriations.

S. 4441. An act to acquire certain land in the District of Columbia as an addition to Rock Creek Park—to the Committee on Appropriations.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, 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. 15660. An act to provide for the repayment of certain commissions, excess payments, and purchase moneys paid under the public land laws; and

H. R. 17167. An act authorizing the Woodlawn Cemetery As-

sociation, of St. Maries, Idaho, to purchase not to exceed 40 acres of land in the Coeur d'Alene Indian Reservation in Idaho.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 6135. An act providing for the disposal of the interests of Indian minors in real estate in Yakima Indian Reservation, Wash.;

S. 4922. An act providing for the platting and selling of the south half of section 30, township 2 north, range 11 west of the Indian meridian, in the State of Oklahoma, for town-site purposes; and

S. 4046. An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on certain lands reserved for Indian reservations in the State of Wisconsin.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. GRIGGS, indefinitely, on account of sickness in his family.

To Mr. FASSETT, indefinitely, on account of sickness in his family.

To Mr. CHANEY, for two weeks, on account of business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of the Hon. WILLIAM JAMES BRYAN, late a Senator from the State of Florida.

Resolved, That a committee of eight Senators be appointed by the Vice-President to take order for superintending the funeral of Mr. BRYAN.

Resolved, That as a further mark of respect his remains be removed from Washington to Jacksonville, Fla., for burial, in charge of the Sergeant-at-Arms, attended by the committee, who shall have full power to carry these resolutions into effect.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that, in compliance with the foregoing, the Vice-President had appointed as said committee Mr. TALIAFERRO, Mr. DANIEL, Mr. BACON, Mr. CLARK of Wyoming, Mr. SCOTT, Mr. CLAPP, Mr. STONE, and Mr. CARTER.

DEATH OF SENATOR BRYAN.

Mr. CLARK of Florida. Mr. Speaker, the House has just heard of the death of the brilliant young junior Senator from Florida, the Hon. WILLIAM JAMES BRYAN. At some future time the Florida delegation will ask the House to set apart a day in order that the Members may pay tribute to the life and services of this illustrious son of our beloved Commonwealth. At the present time I offer the following resolutions and move their adoption.

The SPEAKER. The gentleman from Florida offers resolutions which will be reported by the Clerk.

The Clerk read as follows:

Resolved, That the House has learned with profound sorrow of the death of Hon. WILLIAM JAMES BRYAN, late a Senator of the United States from the State of Florida.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were agreed to.

Accordingly (at 4 o'clock and 1 minute p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting papers in the claim of E. W. Boyce, for Boyce & Hatfield, for damages to the Ottawa House, at Cushing Island, Maine, was taken from the Speaker's table, referred to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 18443) authorizing a resurvey of certain townships in the State of Wyoming, reported the same with amendments, accompanied by a report (No. 1291), which said bill and report were referred to the House Calendar.

Mr. McCALL, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. R. 6) directing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of John Witherspoon, reported the same without amendment, accompanied by a report (No. 1292), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DIXON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 19737) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 1289), which said bill and report were referred to the Private Calendar.

Mr. GRONNA, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 558) to authorize a patent to be issued to Annie Ward, formerly Annie Brown, for certain lands therein described, reported the same without amendment, accompanied by a report (No. 1290), which said bill and report were referred to the Private Calendar.

Mr. WALDO, from the Committee on Claims, to which was referred the bill of the House (H. R. 4119) to pay John Wagner, of Campbell Hall, N. Y., for carrying mails, reported the same without amendment, accompanied by a report (No. 1294), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 2675) granting a pension to Christina B. Offer—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19685) granting a pension to George W. Graves—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6477) granting a pension to Mattie Ashby Birney—Committee on Pension discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7174) granting an increase of pension to Edwin D. North—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DIXON, from the Committee on Invalid Pensions: A bill (H. R. 19737) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors—to the Private Calendar.

By Mr. ASHBROOK: A bill (H. R. 19738) to authorize the Secretary of War to furnish the city of Newark, Ohio, with a condemned cannon and suitable outfit of cannon balls—to the Committee on Military Affairs.

By Mr. GRAHAM: A bill (H. R. 19739) to provide a sound currency which will expand and contract with the requirements of trade—to the Committee on Banking and Currency.

By Mr. GREENE: A bill (H. R. 19740) to amend section 4438 of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 19741) to amend section 4414 of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. LOUDENSLAGER: A bill (H. R. 19742) for a survey of Salem River, New Jersey—to the Committee on Rivers and Harbors.

By Mr. MOORE of Pennsylvania (by request): A bill (H. R. 19743) to provide a sound currency which will expand and contract with the requirements of trade—to the Committee on Banking and Currency.

Also, a bill (H. R. 19744) to appropriate the sum of $30,000 as a part contribution toward the erection of a monument at Germantown, Pa., in commemoration of the founding of the first permanent German settlement in America—to the Committee on the Library.

By Mr. HEPBURN: A bill (H. R. 19745) to regulate commerce among the several States or with foreign nations, and to

amend the act approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies"—to the Committee on the Judiciary.

By Mr. ALEXANDER of New York: A bill (H. R. 19746) to ratify a certain lease with the Seneca Nation of Indians—to the Committee on Indian Affairs.

By Mr. AIKEN: A bill (H. R. 19747) to provide for refunding to lawful claimants the proceeds of the cotton tax unlawfully collected—to the Committee on War Claims.

By Mr. WOLF: A bill (H. R. 19748) for an additional appropriation for the erection of an addition to the post-office building at Baltimore, Md.—to the Committee on Public Buildings and Grounds.

By Mr. ANDREWS: A bill (H. R. 19749) to authorize grants of land in national forests for cemetery purposes—to the Committee on the Public Lands.

By Mr. CRUMPACKER: A bill (H. R. 19750) to provide for the establishment of judicial divisions in the district of Indiana, and for other purposes in connection therewith—to the Committee on the Judiciary.

By Mr. CHANEY: A bill (H. R. 19751) to amend sections 4924, 4925, 4926, and 4927 of the Revised Statutes, relating to patents—to the Committee on Patents.

By Mr. TAWNEY: Resolution (H. Res. 310) to pay the widow of Charles Carter a certain sum of money—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 19752) for the relief of Freedom Oil Works Company, of Freedom, Pa.—to the Committee on Claims.

By Mr. ALEXANDER of New York: A bill (H. R. 19753) granting an increase of pension to John Cook—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 19754) granting school land section 36, township 1 south, range 34 east, New Mexico principal base and meridian, to school district No. 1, Roosevelt County, N. Mex.—to the Committee on the Territories.

By Mr. BEALE of Pennsylvania: A bill (H. R. 19755) granting an increase of pension to Hermanns Ickes—to the Committee on Invalid Pensions.

By Mr. BOYD: A bill (H. R. 19756) for the relief of Robert Gray—to the Committee on War Claims.

By Mr. CALE: A bill (H. R. 19757) for the relief of Charles Engstrom and C. Petersen—to the Committee on Claims.

By Mr. CARTER: A bill (H. R. 19758) granting an increase of pension to Wellington P. Hause—to the Committee on Invalid Pensions.

By Mr. CHANEY: A bill (H. R. 19759) granting a pension to Susan Hopewell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19760) granting an increase of pension to Adolph Legout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19761) for the relief of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 19762) to reimburse the postmaster at Sandborn, Ind.—to the Committee on Claims.

By Mr. CONNER: A bill (H. R. 19763) granting an increase of pension to Chauncy C. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19764) granting an increase of pension to M. D. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19765) granting an increase of pension to Howard Haworth—to the Committee on Invalid Pensions.

By Mr. COOK of Pennsylvania: A bill (H. R. 19766) granting an increase of pension to Thomas Chase—to the Committee on Pensions.

By Mr. COOPER of Texas: A bill (H. R. 19767) for the relief of David Tooke—to the Committee on War Claims.

Also, a bill (H. R. 19768) for the relief of Isam Tooke—to the Committee on War Claims.

By Mr. DAVEY of Louisiana: A bill (H. R. 19769) for the relief of John Rhodes and wife—to the Committee on War Claims.

Also, a bill (H. R. 19770) for the relief of Antonio Hook—to the Committee on War Claims.

Also, a bill (H. R. 19771) for the relief of the estate of Victor Faisons, deceased—to the Committee on War Claims.

By Mr. DENVER: A bill (H. R. 19772) granting an increase of pension to Thompson W. Dye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19773) granting an increase of pension to James C. Rigdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19774) granting an increase of pension to William H. Few—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19775) granting an increase of pension to William Mull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19776) granting an increase of pension to William P. Jackson—to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 19777) granting a pension to Lydia J. Montgomery—to the Committee on Invalid Pensions.

By Mr. HAMILTON of Iowa: A bill (H. R. 19778) granting an increase of pension to William Elkin—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 19779) for the relief of Hugh T. Nelson, jr.—to the Committee on Claims.

By Mr. LEVER: A bill (H. R. 19780) for the relief of Powell S. Boatwright—to the Committee on War Claims.

Also, a bill (H. R. 19781) for the relief of heirs of Micheal H. Brennen—to the Committee on War Claims.

By Mr. LINDBERGH: A bill (H. R. 19782) granting an increase of pension to S. A. Howard—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 19783) to correct the military record of George S. Smith—to the Committee on Military Affairs.

By Mr. McGAVIN: A bill (H. R. 19784) granting an increase of pension to Lauritz Rasmussen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19785) granting an increase of pension to Andrew J. Haslam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19786) granting an increase of pension to Bradford Jones—to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 19787) granting an increase of pension to Henry H. Pennington—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 19788) for the relief of the heirs or estate of Ransom Vick, deceased—to the Committee on War Claims.

Also, a bill (H. R. 19789) for the relief of heirs or estate of W. H. Cooper, deceased—to the Committee on War Claims.

By Mr. THISTLEWOOD: A bill (H. R. 19790) granting an increase of pension to Francis M. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19791) granting an increase of pension to Joseph G. Lanham—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 19792) granting an increase of pension to William Nelson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Chamber of Commerce of Pittsburg, Pa., in favor of H. R. 17979—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAIR: Petition of citizens of New York and vicinity, for relief for heirs of victims of the *General Slocum* disaster—to the Committee on Claims.

By Mr. ANSBERRY: Petition of Universalist Club, of Haverill, Mass., for forest reservations in White Mountains and Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Trades League of Philadelphia, in favor of H. R. 6169—to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Paper to accompany bill for relief of Andrew T. Hoggie—to the Committee on Invalid Pensions.

Also, petition of Stacy Noe and others, of Pataskala, Ohio, for a national highway commission—to the Committee on Agriculture.

Also, petition of Universalist Club, of Haverhill, Mass., for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Trades League of Philadelphia, for H. R. 6169, to promote efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: Petition of Bloomfield Grange, Patrons of Husbandry, of Erie County, Pa., for a national highway commission—to the Committee on Agriculture.

By Mr. BURKE: Petition of Trades League of Philadelphia, for S. 25 and H. R. 6169, to promote efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Nathan T. Folwell and other business men of Philadelphia, for the Justice currency bill—to the Committee on Banking and Currency.

By Mr. BURTON of Ohio: Petitions of North Royalton (Ohio) Grange, No. 1505, and C. W. Veber and others, for a national highway commission—to the Committee on Agriculture.

Also, petition of Daily Kuryer Polski, favoring the Bates resolution of sympathy for the Poles in Prussia—to the Committee on Foreign Affairs.

By Mr. CALDER: Petition of Trades League of Philadelphia, for S. 25 and H. R. 6169, to promote efficiency of the Life-Saving Service—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Universalist Club of Haverhill, Mass., for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. CAPRON: Petition of Fiskeville Grange (R. I.) Patrons of Husbandry, in favor of the creation of a national highway commission—to the Committee on Agriculture.

Also, petition of Central Labor Union, of Woonsocket, R. I., in favor of creating a Bureau of Mines—to the Committee on Mines and Mining.

Also, petition of Central Labor Union, of Woonsocket, R. I., against prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CARLIN: Paper to accompany bill for relief of Mattie A. Birney—to the Committee on Invalid Pensions.

By Mr. CARTER: Paper to accompany bill for relief of Wellington P. Hause—to the Committee on Invalid Pensions.

By Mr. CAULFIELD: Petitions of Central Labor Union of Washington, D. C., and St. Louis Local Union No. 115, Brotherhood of Painters and Decorators, against prohibition in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CHANEY: Paper to accompany bill for relief of Susan Hopewell—to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: Papers to accompany H. R. 10725, granting a pension to William A. Ballinger—to the Committee on Invalid Pensions.

Also, papers to accompany H. R. 9597 (granting a pension to David Raulerson) and H. R. 9592 (granting a pension to James W. Beville)—to the Committee on Pensions.

By Mr. COOK of Pennsylvania: Petition of Philadelphia Board of Trade, favoring an appointment of a commission to revise our banking system—to the Committee on Banking and Currency.

By Mr. CRAVENS: Paper to accompany bill for relief of George W. Wooten (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. DAVEY of Louisiana: Paper to accompany bill for relief of estate of Joseph D. Mittelbronn—to the Committee on War Claims.

By Mr. DENVER: Papers to accompany bills for relief of Thompson W. Dye, Rev. W. C. Jackson, William Mulls, William H. Few, and James C. Rigdon—to the Committee on Invalid Pensions.

By Mr. ESCH: Petitions of Zion Evangelical Church, Methodist Episcopal Church, and H. W. Burker, superintendent of Congregational Sunday School, of Sparta, Wis., for the Littlefield original-package bill, the Hansbrough antipolygamy resolution, and the Sims bill for prohibition in the District of Columbia—to the Committee on the Judiciary.

Also, petition of Trades League of Philadelphia, for S. 25 and H. R. 6169, to promote efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Petition of Alfred Barker, of Rockford, Ill., for a volunteer officers' retired list—to the Committee on Military Affairs.

Also, petition of Williams Post, No. 25, Grand Army of the Republic, of Watseka, Ill., for the Sherwood bill—to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of Trades League of Philadelphia, for S. 25 and H. R. 6169, to promote efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of Nathan F. Tolwell and other business men of Philadelphia, favoring the Justice currency bill—to the Committee on Banking and Currency.

By Mr. GILLESPIE: Papers to accompany bills for relief of Thomas C. Capell (previously referred to the Committee on War Claims), and Thomas H. Holcomb, Alfred C. Caker, Walter Barbee, William F. McGee, Mrs. Tennessee Spiller, and Hans Peter Guttormsen—to the Committee on Claims.

Also, petition of Grange No. 1040, of Dublin, Tex., for a rural parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENE: Petitions of George G. Gifford and others and Lilburne Hiller and others, for a national highway commission—to the Committee on Agriculture.

Also, petition of J. F. Adams, for the Littlefield original-package bill and for the Sims bill (prohibition in the District of Columbia)—to the Committee on the Judiciary.

By Mr. HAMLIN: Paper to accompany bill for relief of Napoleon B. Goodknight—to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: Petition of Henry F. Rine and others, in favor of a national highway commission—to the Committee on Agriculture.

By Mr. HAMMOND: Petition of St. Paul Jobbers and Manufacturers' Association, in favor of improvement of Mississippi River—to the Committee on River and Harbors.

By Mr. HOWELL of New Jersey: Petition of Board of Trade of Newark, N. J., for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

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

By Mr. HAYES: Petition of Sailors' Union of the Pacific, against bill to revise section 4463 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. KELIHER: Petition of Boston Homeopathic Medical Society, for amendment to pure-food law (favoring H. R. 6089)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles F. Dole, of Boston, Mass., and others, for the Bates resolution of sympathy for the Poles, anent inhumanity of the Russian Government—to the Committee on Foreign Affairs.

Also, petition of Peace Association of Friends of Philadelphia and citizens of New York City, against building four new battle ships—to the Committee on Naval Affairs.

Also, petition of Boston Credit Men's Association, against the Aldrich currency bill—to the Committee on Banking and Currency.

Also, petition of American Association of Masters, Mates, and Pilots, against the Littlefield bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Eastern Wholesale Dry Goods Association, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL of Connecticut: Petition of Concordia Society of Bridgeport, Conn., against passing any prohibitory laws—to the Committee on the Judiciary.

By Mr. LINDBERGH: Petition of Minnesota State Federation of Women's Clubs, for establishment of laboratories under Federal, State, and city governments for study of criminal, pauper, and defective classes—to the Committee on the Judiciary.

Also, petitions of Post No. 189, of Akely, Minn., and Post No. 35, of Litchfield, Minn., Grand Army of the Republic, against abolishment of pension agencies—to the Committee on Appropriations.

Also, petition of South St. Paul Live Stock Exchange, for H. R. 13841 (Culberson-Smith bill)—to the Committee on Interstate and Foreign Commerce.

By Mr. McMORRAN: Petition of Local Union No. 300, of Port Huron, Mich., International Typographical Union, for the removal of duty on white paper—to the Committee on Ways and Means.

By Mr. McGAVIN: Petition of National Association of Clothiers, for the Fowler bill—to the Committee on Banking and Currency.

Also, petition of Chicago Architectural Club, indorsing plan to beautify Washington City—to the Committee on the District of Columbia.

By Mr. MOORE of Pennsylvania: Memorial of Trades League of Philadelphia, for authorization to push to completion Government contracts in certain shipyards—to the Committee on Naval Affairs.

Also, petition of citizens of Philadelphia, Pa., in favor of Justice currency bill—to the Committee on Banking and Currency.

Also, petition of Winfield Scott Post, No. 114, Grand Army of the Republic, protesting against abolishment of pension agencies—to the Committee on Appropriations.

Also, petition of Philadelphia Board of Trade, in favor of a commission to revise our banking system—to the Committee on Banking and Currency.

Also, petition of Local No. 12347, Hair Spinners' Union, of Philadelphia, Pa., against extending right of naturalization—to the Committee on Immigration and Naturalization.

Also, protest of Philadelphia Board of Trade, against amend-

ments to Sherman antitrust law—to the Committee on Interstate and Foreign Commerce.

By Mr. OVERSTREET: Petition of Meridian Life and Trust Company, of Indianapolis, in favor of a national memorial to Abraham Lincoln—to the Committee on Appropriations.

By Mr. PADGETT: Paper to accompany bill for relief of George L. Cowan—to the Committee on War Claims.

By Mr. PETERS: Petition of John Martin Club, of Roxbury, Mass., against any treaty of arbitration with Great Britain—to the Committee on Foreign Affairs.

By Mr. PRATT: Paper to accompany bill for relief of David C. Demarest—to the Committee on Invalid Pensions.

By Mr. RYAN: Petition of Hardwood Manufacturers' Association of the United States, for amendment to interstate-commerce laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of 3,000 Poles near Buffalo, N. Y., against oppression of the Polish people by the Prussian Government—to the Committee on Foreign Affairs.

Also, petition of Manufacturers' Club of Buffalo, N. Y., for H. R. 13266, amending national bankruptcy act—to the Committee on the Judiciary.

Also, petition of Philadelphia Board of Trade, against H. R. 17290, amending interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, petition of Richard O'Brien, of Scranton, Pa., for the Lorimer bill (H. R. 175), amending pension laws so as to apply to members of the telegraph corps in the United States—to the Committee on Invalid Pensions.

Also, petition of Brotherhood of Locomotive Firemen of the States of Oregon, California, Nevada, Utah, and Texas, and Territories of Arizona and New Mexico, for the Clapp free-pass amendment—to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Petition of Trades League of Philadelphia, for S. 25 and H. R. 6169, efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Clothiers, for the Fowler currency bill—to the Committee on Banking and Currency.

Also, petition of Association of American Directory Publishers, for the Kittredge copyright bill—to the Committee on Patents.

Also, petition of Williams Post, No. 25, Grand Army of the Republic, of Watseka, Ill., for the Sherwood pension bill—to the Committee on Invalid Pensions.

Also, petition of the Universalist Club, of Haverhill, Mass., for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. SMITH of California: Petition of citizens of California, in favor of Littlefield bill—to the Committee on the Judiciary.

By Mr. SPERRY: Petition of Authors' Club of Bridgeport, Conn., against the Crumpacker census bill—to the Committee on the Census.

Also, petition of Westfield Grange, of Middletown, Conn., for a national highway commission—to the Committee on Agriculture.

Also, petition of Robert Emmet Club, of Dahbury, against treaty of arbitration with Great Britain—to the Committee on Foreign Affairs.

By Mr. SPIGHT: Papers to accompany bills for relief of estate of W. H. Cooper and estate of Ransom Vick—to the Committee on War Claims.

By Mr. SULZER: Petition of International Reform Bureau, for the Sims antigambling bill—to the Committee on the District of Columbia.

Also, petition of Walter Woods, Franz Mueller, and Van Horn & Texter, for the Kittredge copyright bill—to the Committee on Patents.

Also, petition of the Universalist Club, of Haverhill, Mass., for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of American Musical Copyright League, for the Smoot-Currier copyright bill—to the Committee on Patents.

Also, petition of Sailors' Union of the Pacific, against a bill to amend section 4463 of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Trades League of Philadelpha, for S. 25 and H. R. 6169 (to proomte efficiency of the Life-Saving Service)—to the Committee on Interstate and Foreign Commerce.

By Mr. TALBOTT: Petition of Automobile Club of Maryland, in favor of a volunteer motor corps in United States—to the Committee on Military Affairs.

By Mr. THISTLEWOOD: Petition of citizens of Carbondale, Ill., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Woman's Christian Temperance Union and Antisaloon League of Jackson County, Ill., for the Littlefield bill—to the Committee on the Judiciary.

By Mr. WANGER: Petition of Keystone Grange, No. 2, of Montgomery County, Pa., for a national highway commission—to the Committee on Agriculture.

Also, petition of George W. West Division, No. 468, Brotherhood of Locomotive Engineers, of Carbondale, Pa., for the La Follette-Sterling employers' liability bill, Rodenberg anti-injunction bill, and the Clapp free-pass amendment—to the Committee on Interstate and Foreign Commerce.

Also, petition of Chartiers Valley Division, No. 416, International Brotherhood of Locomotive Engineers, of Ingram, Pa., Brotherhood of Railway Trainmen of Hazleton, Pa., and Lumber City Lodge, No. 524, Brotherhood of Railway Trainmen, for S. 4260—to the Committee on Interstate and Foreign Commerce.

By Mr. WEISSE: Petition of Central Labor Union in the District of Columbia, against prohibition law in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WILEY: Paper to accompany bill for relief of Ben de Lemos (previously referred to the Committee on Pensions)—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *March 24, 1908.*

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

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3416) to amend an act entitled "An act authorizing the extension of Meridian place NW.," approved January 9, 1907.

The message also announced that the House had passed the bill (S. 29) to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 16621) to extend the time for the construction of a dam across Savannah River at Cherokee Shoals.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4063. An act for the widening of Benning road, and for other purposes;

H. R. 12438. An act extending the time limit for the completion of the lines of the East Washington Heights Traction Railroad Company;

H. R. 15230. An act to amend an act approved February 28, 1901, entitled "An act relating to the Metropolitan police of the District of Columbia;"

H. R. 15231. An act to amend the license law approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire;

H. R. 16269. An act authorizing the extension of Ninth street NW.;

H. R. 17297. An act authorizing the extension of New York avenue from its present terminus near Fourth street NE. to the Bladensburg road;

H. R. 17303. An act authorizing the extension of Girard street NW. from its western terminus to Fifteenth street NW.;

H. R. 17305. An act to regulate the establishment and maintenance of private hospitals and asylums in the District of Columbia; and

H. R. 19355. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the House insists upon its amendments to the bill (S. 1424) to increase the efficiency of the Medical Department of the United States Army, disagreed to by the Senate; agrées to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and