

clause 38 of the Payne law until decision of the Supreme Court is rendered—to the Committee on Ways and Means.

By Mr. SHEFFIELD: Petition of New England Manufacturing Jewelers and Silversmiths' Association, favoring the repeal of the corporation-tax clause of the Payne tariff bill—to the Committee on Ways and Means.

Also, petition of Newport (R. I.) Typographical Union, No. 295, against an increase in the postal rates on periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. STURGISS: Petition of Knights of Columbus of Grafton, W. Va., favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Petition of American Enamelled Brick and Tile Company, favoring repeal of the corporation-tax law—to the Committee on Ways and Means.

Also, petitions of New York Produce Exchange and Marine Association of New York, against transfer of pilot charts from the Hydrographic Office—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Edward Klimskim, for retention of section 40 of immigration law—to the Committee on Immigration and Naturalization.

By Mr. TOWNSEND: Petition of Military Order of the Loyal Legion, Commandery of Wisconsin; James P. Cadman; Charles Hatgleiss; and A. L. Mabbett, for the volunteer officers retired list, House bill 18899—to the Committee on Military Affairs.

Also, petition of business firms of Jackson, Mich., favoring the repeal of the corporation-tax clause of the Payne tariff bill—to the Committee on Ways and Means.

By Mr. WANGER: Resolutions of the Lumbermen's Exchange of Philadelphia, Pa., in favor of the upbuilding of the American merchant marine by the grant of increased pay to South America, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Lumbermen's Exchange of Philadelphia, Pa., in favor of the bill (H. R. 11798) for protection of watersheds on navigable streams—to the Committee on Agriculture.

Also, resolutions of Lumbermen's Exchange of Philadelphia, Pa., in favor of an appropriation of \$50,000,000 per annum for ten years hereafter for improvement of the most meritorious of the waterway projects of the United States—to the Committee on Rivers and Harbors.

Also, petition of Capt. Nicholas Baggs and other citizens of Pennsylvania who were volunteer officers in the civil war, in favor of a retired list for such officers—to the Committee on Military Affairs.

SENATE.

FRIDAY, February 18, 1910.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

WATER RIGHTS IN IDAHO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 27th ultimo, certain information relative to water rights, power sites, etc., required on the public lands of the State of Idaho (S. Doc. No. 370), which, on motion of Mr. HEYBURN, was, with the accompanying paper and illustrations, referred to the Committee on Public Lands and ordered to be printed.

CLAIM OF MARY JANE RUCKER.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court in the cause of Mary Jane Rucker, sole heir of J. W. Rucker, deceased, v. United States (S. Doc. No. 372), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills and joint resolution:

H. R. 2828. An act for the relief of William Martinson;

H. R. 3037. An act to correct the lineal and relative rank of certain officers of the United States Army, and to prevent the recurrence of like cases by amending the act approved October 1, 1890, entitled "An act to provide for the examination of certain officers of the army, and to regulate promotion therein;"

H. R. 17531. An act to amend an act authorizing the Wash-

ington, Spa Springs and Greta Railroad Company of Maryland to enter the District of Columbia, with amendments, approved February 18, 1907;

H. R. 17752. An act 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;

H. R. 17755. An act 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;

H. R. 18364. An act to amend section 8 of an act to provide for the thirteenth and subsequent decennial censuses, approved July 2, 1909; and

H. J. Res. 101. Joint resolution authorizing an extension of the tracks of the Atchison, Topeka and Santa Fe Railroad on the military reservation at Fort Leavenworth, Kans.

The message also announced that the House insists upon its disagreement to the amendment of the Senate to the bill (S. 5237) granting pensions to certain soldiers and sailors of wars other than the civil war and to certain widows and dependent relatives of such soldiers and sailors, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. DRAPER, and Mr. RICHARDSON managers at the conference on the part of the House.

The message further announced that the House insists upon its disagreement to the amendment of the Senate to the bill (S. 5573) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and wars other than the civil war, and to certain widows of such soldiers and sailors, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. DRAPER, and Mr. RICHARDSON managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13410) to modify the One hundred and twenty-second and One hundred and twenty-fourth Articles of War, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL of Iowa, Mr. STEVENS of Minnesota, and Mr. HAY managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13864. An act to extend Fourth street SE.;

H. R. 13893. An act to authorize the extension of Forty-first street NW.;

H. R. 15676. An act to provide for the extension of the underground system of the City and Suburban Railway Company on North Capitol street, and for other purposes;

H. R. 16330. An act to authorize the surveyor of the District of Columbia to adopt the system of designating land in the District of Columbia now in force in the office of the assessor of said District;

H. R. 16331. An act to acquire land in the vicinity of the Connecticut Avenue Bridge for the extension of certain streets;

H. R. 16916. An act to authorize certain changes in the permanent system of highways plan, District of Columbia;

H. R. 18156. An act directing the recorder of deeds of the District of Columbia to keep an index to recorded instruments by lots or tracts;

H. R. 19038. An act to authorize the opening of a road along the Anacostia River, in the District of Columbia;

H. R. 19039. An act authorizing the extension of Massachusetts avenue NW. from Wisconsin avenue to the District line;

H. R. 19785. An act to authorize the extension of Columbia road NW., in the District of Columbia; and

H. R. 19787. An act to change the name of the west side of Fifteenth street NW., between I and K streets, to McPherson place.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice-President:

S. 5574. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and to certain widows and dependent relatives of such soldiers and sailors; and

H. J. Res. 93. Joint resolution authorizing the President of the United States to convey thanks to the Government of Italy for certain gifts.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the New York Board of Trade and Transportation, praying for the

enactment of legislation to defer the filing of the first reports of corporations until the Supreme Court has decided upon the constitutionality of the corporation-tax law, which was referred to the Committee on Finance.

He also presented a memorial of the Associated Advertising Clubs of America, remonstrating against the enactment of legislation to increase the rate of postage on periodicals and magazines, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a petition of Local Council No. 685, Knights of Columbus, of Piedmont, W. Va., praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BRIGGS presented a memorial of sundry citizens of Burlington County, N. J., remonstrating against the passage of the so-called "postal savings-bank bill," which was ordered to lie on the table.

Mr. BURTON presented a petition of Local Council No. 1411, Knights of Columbus, of Kent, Ohio, praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the First Christian Church of Massillon, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in government buildings and ships, which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the First Christian Church of Massillon, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. OLIVER presented a petition of the Woman's Home Missionary Society of New Castle, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the Woman's Home Missionary Society of New Castle, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in government buildings and ships, which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Pittsburg, Pa., remonstrating against the passage of the so-called "postal savings-bank bill," which was ordered to lie on the table.

He also presented a petition of Washington County Chapter, National Society Daughters of the American Revolution, of Washington, Pa., praying for the retention and strengthening of the division of information of the Bureau of Immigration and Naturalization in the Department of Commerce and Labor, which was referred to the Committee on Immigration.

He also presented a petition of Lieut. S. C. Potts Post, Department of Pennsylvania, Grand Army of the Republic, of Altoona, Pa., praying for the passage of the so-called "National Tribune pension bill," which was referred to the Committee on Pensions.

He also presented a memorial of the Northside Pittsburg Chapter, No. 649, American Insurance Union, of Pittsburg, Pa., and a memorial of Local Chapter, No. 211, American Insurance Union, of Coreapolis, Pa., remonstrating against the enactment of legislation to increase the rate of postage on periodicals and magazines, which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Lumbermen's Exchange of Philadelphia, Pa., praying for the passage of the so-called "ship-subsidy bill," which was referred to the Committee on Commerce.

He also presented a petition of the Lumbermen's Exchange of Philadelphia, Pa., praying for the enactment of legislation providing for the preservation of the so-called "Appalachian Forest Reservation," which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Lumbermen's Exchange of Philadelphia, Pa., praying that an appropriation be made for the improvement of the waterways of the country, which was referred to the Committee on Commerce.

Mr. CLARK of Wyoming presented a petition of Local Unions Nos. 2293, 2516, and 2309, United Mine Workers of America, of Rock Springs, Wyo., praying for the enactment of legislation to establish a bureau of mines in the Interior Department, which was referred to the Committee on Mines and Mining.

Mr. LA FOLLETTE presented a memorial of sundry citizens of Wisconsin, remonstrating against the passage of the so-called "postal savings-bank bill," which was ordered to lie on the table.

Mr. ELKINS presented sundry papers in support of the bill (S. 5532) granting an increase of pension to John F. Turner, which were referred to the Committee on Pensions.

Mr. DEPEW presented a petition of Local Union No. 5, Cigar Makers' International Union of America, of Rochester, N. Y., and a petition of Local Union No. 255, Brotherhood of Painters, Decorators, and Paper Hangers of America, of Kingston, N. Y., praying for the passage of the so-called "eight-hour bill," which were referred to the Committee on Education and Labor.

He also presented a petition of the Manufacturers' Association of Jamestown, N. Y., praying that an appropriation be made for the improvement of Dunkirk Harbor, in that State, which was referred to the Committee on Commerce.

He also presented a memorial of Union Grange, No. 244, Patrons of Husbandry, of Jamestown, N. Y., remonstrating against the enactment of legislation to increase the rate of postage on second-class mail matter, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of Bay Shore, East Islip, Sayville, Patchogue, and Olean, all in the State of New York, remonstrating against the passage of the so-called "postal savings-bank bill," which were ordered to lie on the table.

He also presented a petition of Lindenwals Grange, No. 985, Patrons of Husbandry, of Kinderhook, N. Y., praying for the passage of the so-called "rural parcels-post and postal savings-bank bills," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Business Men's Association, of Newburgh, N. Y., praying for the repeal of the corporation-tax law, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Syracuse, N. Y., praying for the adoption of a certain amendment to article 3 of section 38 of the present tariff law extending the time for the filing of the first reports of corporations until the Supreme Court renders a decision as to its constitutionality, which was referred to the Committee on Finance.

Mr. LODGE presented a memorial of Francis Gould Post, No. 36, Grand Army of the Republic, Department of Massachusetts, of Arlington, Mass., remonstrating against the acceptance of the statue of Gen. Robert E. Lee, to be placed in Statuary Hall, United States Capitol, which was referred to the Committee on the Library.

Mr. BACON presented an affidavit to accompany the bill (S. 5986) granting an increase of pension to Sarah Belcher, which was referred to the Committee on Pensions.

Mr. SHIVELY presented a memorial of the Trades Council, American Federation of Labor, of Muncie, Ind., remonstrating against the enactment of legislation to increase the rate of postage on second-class mail matter, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of White Local Union No. 117, Farmers' Educational and Cooperative Union of America, of Spencer, Ind., praying for the enactment of legislation to prohibit gambling in the products of the farm, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Chapter No. 462, America Insurance Union, of Jeffersonville, Ind., praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FLINT presented a memorial of the Woman's Club of Santa Barbara, Cal., remonstrating against the use of the water supply of the Hetch Hetchy Valley by the city of San Francisco, in that State, which was referred to the Committee on Conservation of National Resources.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation providing for the reformation of the reorganized consular service of the United States, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Corona, Los Angeles, and Redlands, all in the State of California, praying for the enactment of legislation to permit the Chucawalla Development Company to construct a dam across the Colorado River near Parker, in that State, which was referred to the Committee on Commerce.

Mr. PERKINS. I present a petition of sundry citizens and taxpayers of San Jose, Cal., which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

SAN JOSE, CAL., January 29, 1910.

To the Senate and House of Representatives in Congress assembled:

The undersigned citizens and taxpayers of the city of San Jose, county of Santa Clara, Cal., respectfully and earnestly request the Congress of the United States and the Committees on Military Affairs of the House and Senate to make an early and favorable report and promptly pass the bill (S. 1483) to create in the War Department and the Navy Department, respectively, a roll designated as "The civil-war volunteer officers' retired list," etc., now pending before the Senate committee, and a similar bill—H. R. 18899—pending before the House committee, for the following good and sufficient reasons:

A large majority of those who were old enough to be commissioned officers and served for the period named in said bills have now reached the average advanced age of 70 years or more. That a postponement of this just measure to those who saved and perpetuated this Republic, which is along the lines of the bill granting the same honors and rewards to those in the army of the Revolution, who created the Republic, will be equivalent to its denial, as the infirmities, diseases, and wounds, added to their age, will in a very short time deplete their ranks to a mere corporal's guard, and thus deprive some of the best, truest, and most heroic, deserving, and suffering of these veterans of the honors and benefits of this desired law.

As thousands of citizens have signed petitions to Congress and the legislatures of 12 States passed resolutions asking for its passage, we feel that we are justified in this appeal.

We, like a large majority of loyal and patriotic citizens, believe that this just measure should not be postponed on the ground of economy in public expenditures, for the good reason that appropriations for hundreds of small creeks, sluggish rivers, new post-offices, and other federal buildings, increase in salaries, creation of new offices, etc., can well be postponed with no lasting detriment to the public, no extinction by death of future opportunity for the appropriations, and ample time for realization in a few years.

Inasmuch as the honorable Secretary of the Treasury, in his report, has estimated a surplus of \$35,000,000 for the fiscal year beginning July 1, 1910, we respectfully submit that the bill should not be postponed to other less important, less just, and less patriotic measures.

Respectfully submitted.

W. G. Lorigan, associate justice supreme court, State of California; P. F. Gosbey, judge of superior court, State of California; J. R. Welch, judge of superior court, State of California; John E. Richards, judge of superior court, State of California; W. F. Parker, county auditor; L. A. Spitzer, county assessor; H. A. Pfister, county clerk; E. W. Conant, county treasurer; Winthrop Beans, president of the Bank of San Jose; Wm. V. Dinsmore, cashier of the Bank of San Jose; Hiram D. Tuttle, attorney and counselor; J. W. Dinsmore, clergyman.

Mr. PERKINS presented a memorial of Local Union No. 586, United Brotherhood of Carpenters and Joiners of America, of Sacramento, Cal., remonstrating against the enactment of legislation to increase the rate of postage on periodicals and magazines, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Merchants' Association of San Francisco, Cal., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry mining engineers of San Francisco, Cal., praying for the enactment of legislation to establish a bureau of mines in the Interior Department, which was referred to the Committee on Mines and Mining.

He also presented a petition of the Woman's Home Missionary Society of the First Methodist Episcopal Church of San Diego, Cal., praying for the enactment of legislation providing for the appointment of surgeons, immigrant inspectors, and matrons on vessels carrying immigrant passengers between the ports of the United States and foreign countries, which was referred to the Committee on Immigration.

He also presented a petition of the Monday Club, of Eureka, Cal., praying for the enactment of legislation to prohibit the destruction of any portion of the Yosemite National Park in that State, which was referred to the Committee on the Conservation of National Resources.

He also presented a petition of sundry citizens of San Diego, Cal., and a petition of the Woman's Home Missionary Society of the First Methodist Episcopal Church of San Diego, Cal., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Territory of Hawaii, which were referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation providing for the reformation of the reorganized consular service of the United States, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Cannerymen's League of San Francisco and of the Chamber of Commerce of Santa Barbara County, in the State of California, praying for the enactment of legislation to establish a line of steamers along the Pacific coast in connection with the Panama Railroad, which were referred to the Committee on Inter-oceanic Canals.

He also presented a petition of sundry business firms of Watsonville, Cal., praying for the repeal of the corporation

income-tax law, which was referred to the Committee on Finance.

He also presented petitions of Local Lodge No. 68 and of Vallejo Lodge, No. 252, International Association of Machinists, of San Francisco, and of the Iron Trade Council of San Francisco, Cal., praying for the enactment of legislation providing for the reorganization of the navy-yards of the country, which were referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation of \$400,000 be made for the improvement of the Sacramento and San Joaquin rivers, in that State, which was referred to the Committee on Commerce.

He also presented a petition of the common council of San Francisco, Cal., praying that an appropriation be made for the rectification and improvement of the rivers in that State, which was referred to the Committee on Commerce.

He also presented a petition of San Francisco Parlor, No. 49, Native Sons of the Golden West, of San Francisco, Cal., praying for the passage of the so-called "ship-subsidy bill," which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Camino, Red Bluff, and West View, all in the State of California, remonstrating against the enactment of legislation providing for the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Berkeley, Cal., praying that an appropriation be made for the construction of a public building in that city, which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Admiral Glass Camp, No. 36, Department of California, Spanish War Veterans, of Los Angeles, Cal., praying for the enactment of legislation granting travel pay and commutation of subsistence to the muster-out volunteer officers and soldiers who served in the Philippine Islands, which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Home Missionary Society of the First Methodist Episcopal Church, of San Diego, Cal., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in government buildings and ships, which was referred to the Committee on Education and Labor.

He also presented a petition of the Labor Council, American Federation of Labor, of San Francisco, Cal., praying for the enactment of legislation to amend section 1753 of the Revised Statutes of the United States relating to the civil service, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a memorial of the Illinois State Teachers' Association, of Macomb, Ill., remonstrating against an appropriation being made in aid of the George Washington University, Washington, D. C., which was referred to the Committee on Agriculture and Forestry.

Mr. BRIGGS presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in government buildings and ships, which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the enactment of legislation providing for the appointment of surgeons, immigrant inspectors, and matrons on vessels carrying immigrant passengers between ports of the United States and foreign countries, which was referred to the Committee on Immigration.

He also presented a petition of the Federated Trades Council, American Federation of Labor, of Orange, N. J., praying for the passage of the so-called "eight-hour bill," which was referred to the Committee on Education and Labor.

He also presented a petition of Local Council No. 355, Knights of Columbus, of Trenton, N. J., praying for the enactment of legislation providing for the admission of the publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union of Closter, N. J., praying for the enactment of legislation to regulate the traffic in intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. STEPHENSON presented a petition of sundry printers and publishers of Milwaukee, Wis., praying for the enactment of legislation to prohibit the printing by the Government of cer-

tain matter on stamped envelopes, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CRAWFORD presented memorials of sundry citizens of Wilmet, Cottonwood, Bryant, Bradley, Midland, Lennox, and Canton, all in the State of South Dakota, and of the Grand Council of Minnesota, the Dakotas, Manitoba, Saskatchewan, and Alberta, United Commercial Travelers of America, of St. Paul, Minn., remonstrating against the passage of the so-called "postal savings-bank bill," which were ordered to lie on the table.

ISSUANCE OF REVENUE STAMPS.

Mr. CRAWFORD. I present a statement embracing correspondence between the Bureau of Internal Revenue and the attorney for the White Earth Bands of Chippewa Indians in Minnesota in relation to the bill which I introduced on the 24th ultimo, and now pending before the Committee on Interstate Commerce, to prohibit the issuance of internal-revenue stamps in any State or Territory in which the liquor traffic is prohibited by law. I ask that the correspondence, which is not long and which relates to the bill now before the Committee on Interstate Commerce, be printed in the RECORD and referred to the Committee on Interstate Commerce.

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

THE WHITE EARTH BANDS OF CHIPPEWA INDIANS IN MINNESOTA, February 12, 1910.

HON. COE I. CRAWFORD,
United States Senate.

MY DEAR SENATOR: In the matter of the bill (S. 5605) introduced by you, I take the liberty of bringing to your attention some correspondence of mine, as attorney for the White Earth Chippewas, relative to the subject.

Inclosed is a copy of my letter to the Commissioner of Internal Revenue, urging that the sale of revenue tax stamps on the White Earth Reservation in particular, and in Indian country generally, be suspended or discontinued. In reply, I received the following letter, dated April 27, 1909:

C. E. RICHARDSON, Esq.,
500 Hibbs Building, Washington, D. C.

SIR: This office is in receipt of your letter of the 24th instant urging that this office refuse to issue special-tax stamps to dealers within the boundaries of Indian reservations, especially the White Earth Reservation.

In reply, herewith is transmitted for your information a copy of a recent treasury decision stating the position of this office with relation to the issuance of special-tax stamps, and your attention is called to the fact that the provision for a special tax on dealers being purely a revenue measure and not a police regulation no discretion is lodged either in this office or elsewhere to refuse the tax when tendered, and the issuance of the stamp, which, under the law and a decision of the United States Supreme Court, is the required receipt for the tax.

Respectfully,

ROBT. WILLIAMS, JR.,
Acting Commissioner.

The inclosure referred to was T. D. 1484, in the case of a resolution passed by the legislature of South Dakota, with which you are already familiar, in which the point is made that "the payment of the tax is not a license."

Whether or not the federal revenue tax stamp is in fact a license, it is, nevertheless, in effect a license, and is so regarded, spoken of, and relied upon. The inclosed label, taken from a bottle purchased by me in a prohibition town in Minnesota, contains the assurance:

"May be legally sold without a government, state, or city license." This opinion and reliance are practically universal among the dealers in my State (Minnesota), and probably throughout the Union. For several years I occupied a municipal office which required me to issue the state license to liquor dealers, and without exception the 250 applicants spoke of the government revenue stamp as the "government license."

While the Department of the Interior, assisted by the Department of Justice, is trying to enforce the provisions of treaties with the Indians (in which the Government guarantees that no intoxicating liquors will be allowed in the "Indian country"), and while it may be reasonably inferred that anyone applying for or purchasing a revenue tax stamp for use in proscribed territory is not a "dealer" within the purview of the Revised Statutes, but an outlaw, it does seem that the Treasury Department should rule against the issue of such stamps (licenses) in such districts, especially as it renders difficult, if not ineffectual, the efforts of these coordinate branches of the Government to enforce and maintain the laws. In addition to that are the humanitarian reasons touched upon in my letter above referred to and herewith inclosed, which reasons, based upon that fundamental law, public policy, should outweigh any consideration of revenue, financial expediency, or technical construction of a general statute.

Your bill, however, should it become a law, will effectually cover the entire situation. I sincerely trust that it may, and if my experience with or views upon the subject can be of any use, you may utilize this letter in any way that you choose.

Yours, very truly,

C. E. RICHARDSON,
Attorney for the White Earth Bands of
Chippewa Indians in Minnesota.

APRIL 24, 1909.

HON. COMMISSIONER, BUREAU OF INTERNAL REVENUE,
Washington, D. C.

DEAR SIR: On the White Earth Reservation, in Minnesota, there are several villages erected upon allotments patented to individuals, and thereby, it is claimed, severed from the reservation. In these villages are numerous barrooms, the effect of which has proven very demoralizing to the Indians. Not only do they suffer the ordinary results of

intoxication, but they are made drunk by unprincipled adventurers who take this means of securing title to the Indians' lands.

My purpose in mentioning the foregoing facts is to justify, if possible, the suggestion that if the internal-revenue officers would refuse to issue the tax stamps to dealers within the boundaries of Indian reservations, especially White Earth Reservation, your office would render great assistance to the poor deluded natives, as well as to those on the outside who are striving to aid them morally and financially, including the Interior Department of the Government.

It is my belief that the whole reservation, whether patented to individuals or not, is Indian country within the meaning of the federal prohibition. In addition to this fact, there is the other, that most of the sales of intoxicants upon this reservation are to Indians, and this is in violation of a law of the State of Minnesota. I am told that the county officers either refuse or neglect to prosecute these violations; and it becomes necessary for us to look about for other possible means of relief from a situation which is already bad, indeed, and daily becoming steadily worse. Not only are lives and morals corrupted and destroyed, but the entire fortunes of whole families are sacrificed as a result of the mental condition which follows indulgence by an Indian in intoxicating drinks.

Should it be possible by the employment of any law, rule, or regulation of your department to refuse to issue the internal-revenue tax stamp to these people who are violating both the state and federal laws, it would, in all probability, accomplish more for the protection of defenseless, worthy people than any other one thing that I can think of.

If any further discussion on my part of the questions herein touched upon can be of use to your office, I will be glad to either call upon you or to file a brief in the matter.

I am, very respectfully, yours,

C. E. RICHARDSON,
Attorney for the White Earth Bands of
Chippewa Indians of Minnesota.

COMMERCIAL ASPECTS OF MACHINE TELEGRAPHY.

Mr. OWEN. I present a communication entitled "A Study of the Commercial Aspects of Machine Telegraphy," prepared by Romyn Hitchcock, of New York. The communication is short, and I move that it be printed as a document (S. Doc. No. 373), together with the illustrations, for the information of the Senate.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. FLINT, from the Committee on Finance, to whom was referred the bill (S. 2429) for the relief of the estate of James Mitchell, deceased, reported it without amendment.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 5071) for the relief of William Frye White, owner of lots 103, 104, 105, and 106, square 754, Washington, D. C., with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia (Report No. 238); and

A bill (S. 2045) for the relief of John B. Lord, owner of lot 86, square 723, Washington, D. C., with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia (Report No. 239).

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3254) to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906, by prohibiting the sale of poisonous hair dressing, reported it with amendments, and submitted a report (No. 248) thereon.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (H. R. 3649) requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said commission, reported it with amendments and submitted a report (No. 240) thereon.

Mr. SCOTT, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 17514) to authorize the extension of Twenty-third and R streets SE., in the District of Columbia (Report No. 241);

A bill (S. 5252) to authorize the closing of a part of Forty-first street NW., in the District of Columbia, and for other purposes (Report No. 246); and

A bill (S. 5715) providing for the establishment of building lines and special building restrictions in the District of Columbia (Report No. 247).

Mr. SCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 4984) to authorize the extension of Twenty-third and R streets SE., in the District of Columbia, submitted an adverse report (No. 242) thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. CURTIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 2430) for the relief of the heirs

of John W. West, deceased, reported it without amendment and submitted a report (No. 243) thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 5499) to grant certain lands to the city of Rawlins, Wyo., reported it with amendments and submitted a report (No. 244) thereon.

Mr. WARNER, from the Committee on Military Affairs, to whom was referred the joint resolution (S. J. Res. 78) to continue in full force and effect an act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the confederate army and navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," reported it with amendments and submitted a report (No. 245) thereon.

Mr. TALIAFERRO, from the Committee on Military Affairs, to whom was referred the joint resolution (H. J. Res. 111) to donate a brass cannon to the State of Georgia, reported it without amendment, and submitted a report (No. 249) thereon.

Mr. ELKINS, from the Committee on Interstate Commerce, to whom was referred the bill (H. R. 5702) to supplement an act entitled "An act to promote the safety of employees and travelers upon railroads," reported it with amendments, and submitted a report (No. 250) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLINT:

A bill (S. 6545) for the relief of the widow and heirs of David Phillips, deceased; to the Committee on Claims.

By Mr. FRAZIER: A bill (S. 6546) for the relief of the heirs of John W. Spradlin, deceased;

A bill (S. 6547) for the relief of W. H. Tuck;

A bill (S. 6548) for the relief of J. M. Timmins; and

A bill (S. 6549) for the relief of the heirs of James Henderson, deceased; to the Committee on Claims.

By Mr. BANKHEAD:

A bill (S. 6550) for the relief of Rittenhouse Moore; to the Committee on Claims.

By Mr. PAYNTER:

A bill (S. 6551) granting a pension to Bettie Patterson; to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6552) to provide for the purchase of ground for and the erection of a public building for an immigrant station, on a site to be selected for said station, in the city of Tacoma, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. CHAMBERLAIN:

A bill (S. 6553) to provide for a final settlement with the Clatsop tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties dated August 7, 1851;

A bill (S. 6554) to provide for a final settlement with the Tillamook tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties dated August 7, 1851;

A bill (S. 6555) to provide for a final settlement with the Kathlamet band of Chinook Indians, of Oregon, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 9, 1851;

A bill (S. 6556) to provide for a final settlement with the Wheelappa band of Chinook Indians, of Washington, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 9, 1851;

A bill (S. 6557) to provide for a final settlement with the Lower band of Chinook Indians, of Washington, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 9, 1851;

A bill (S. 6558) to provide for a final settlement with the Waukikum band of Chinook Indians, of Washington, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 8, 1851; and

A bill (S. 6559) to provide for a final settlement with the Nuc-quee-clah-we-muck tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain unratified treaty between said parties dated August 7, 1851; to the Committee on Indian Affairs.

By Mr. FRYE:

A bill (S. 6560) granting a pension to Lula S. Knight Bigelow (with accompanying papers); to the Committee on Pensions.

By Mr. GAMBLE:

A bill (S. 6561) for the relief of the Mission Farm Company (with an accompanying paper); to the Committee on Indian Affairs.

By Mr. McCUMBER:

A bill (S. 6562) extending time of payment of charges for construction and operation under the Williston irrigation project in the State of North Dakota and releasing water users from payment of charges for the year 1908, and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. SCOTT:

A bill (S. 6563) granting an increase of pension to Fleming Dudley (with an accompanying paper); to the Committee on Pensions.

By Mr. CLARK of Wyoming:

A bill (S. 6564) providing for writs of error by the United States from certain judgments in criminal cases;

A bill (S. 6565) providing immunity as to testimony given in any inquiry or proceeding on behalf of the United States, and to repeal section 860, Revised Statutes;

A bill (S. 6566) to authorize the issuance of search warrants for stolen or misappropriated property;

A bill (S. 6567) to amend section 10 of the act of March 3, 1891, creating circuit courts of appeals, so as to authorize the circuit court of appeals, on remanding certain cases when reversed, to order final judgment therein;

A bill (S. 6568) to amend sections 5209 and 1046, Revised Statutes; and

A bill (S. 6569) to authorize the presence of experts and stenographers before grand juries; to the Committee on the Judiciary.

By Mr. KEAN:

A bill (S. 6570) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.; to the Committee on Finance.

A bill (S. 6571) granting an increase of pension to Augustus Wode (with an accompanying paper); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 6572) granting an increase of pension to Joseph Knapp; and

A bill (S. 6573) granting an increase of pension to William Inman; to the Committee on Pensions.

By Mr. PERKINS:

A bill (S. 6574) to create and establish a national coal reserve in the Territory of Alaska, and for other purposes; to the Committee on Territories.

A bill (S. 6575) to reorganize and increase the efficiency of the Hospital Corps of the United States Navy, and to regulate its pay; and

A bill (S. 6576) to increase the efficiency of the medical department of the United States Navy; to the Committee on Naval Affairs.

A bill (S. 6577) providing for the purchase of a site and the erection of a public building thereon at Berkeley, in the State of California; and

A bill (S. 6578) to provide for the enlarging of the federal building at Oakland, Cal., and for the purchase of additional land; to the Committee on Public Buildings and Grounds.

A bill (S. 6579) granting a pension to Henry Brown (with an accompanying paper); to the Committee on Pensions.

By Mr. DICK:

A bill (S. 6580) for the purpose of securing final adjudication of the claims of postmasters under the acts of June 12, 1866, and March 3, 1883; to the Committee on Post-Offices and Post-Roads.

By Mr. WARNER:

A bill (S. 6581) granting a pension to George W. Ross; to the Committee on Pensions.

(By request.) A bill (S. 6582) to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906 (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 6583) for the relief of the legal representatives of Napoleon B. Giddings; to the Committee on Military Affairs.

A bill (S. 6584) for the relief of Sanger & Moody; to the Committee on Claims.

By Mr. CLAY:

A bill (S. 6585) for the relief of the heirs of Samuel Maner, deceased; to the Committee on Claims.

By Mr. PENROSE:

A bill (S. 6586) for the relief of the children and heirs of Elizabeth Haak, Michael Haak, and Sarah Haak, all deceased; to the Committee on Claims.

A bill (S. 6587) to correct the military record of Thomas Amick; to the Committee on Military Affairs.

A bill (S. 6588) for the relief of William Parsons Hayes; and

A bill (S. 6589) providing for the retirement of petty officers and enlisted men of the United States Navy; to the Committee on Naval Affairs.

A bill (S. 6590) granting a pension to Dallas Mills;

A bill (S. 6591) granting an increase of pension to William Ryan;

A bill (S. 6592) granting an increase of pension to Henry B. Geissinger;

A bill (S. 6593) granting an increase of pension to George W. Hahn;

A bill (S. 6594) granting an increase of pension to Peter Knepp; and

A bill (S. 6595) granting an increase of pension to Daniel H. Clair; to the Committee on Pensions.

By Mr. BACON:

A bill (S. 6596) granting a pension to John G. Patton; and

A bill (S. 6597) granting an increase of pension to Edward Townsend; to the Committee on Pensions.

A bill (S. 6598) for the relief of the estate of Joseph Lippman, deceased; and

A bill (S. 6599) for the relief of the heirs and legal representatives of James V. Grier, deceased (with an accompanying paper); to the Committee on Claims.

By Mr. CURTIS:

A bill (S. 6600) granting an increase of pension to William Hobbs; and

A bill (S. 6601) granting a pension to Cassie Zimmerman; to the Committee on Pensions.

A bill (S. 6602) authorizing the donation of certain cannon, equipment, and accessories to the Kansas State Agricultural College; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 6603) authorizing the establishment of submarine signals; to the Committee on Commerce.

By Mr. BURKETT:

A bill (S. 6604) to correct the military record of Isaac Clark; to the Committee on Military Affairs.

By Mr. GORDON:

A bill (S. 6605) for the relief of the estate of E. H. Strong (with an accompanying paper); to the Committee on Claims.

By Mr. MARTIN:

A bill (S. 6606) for the relief of the estate of William J. Conner, deceased; and

A bill (S. 6607) for the relief of the estate of Murray Mason, deceased; to the Committee on Claims.

By Mr. ALDRICH:

A bill (S. 6608) granting an increase of pension to Charles H. Tilley (with an accompanying paper);

A bill (S. 6609) granting an increase of pension to Charles H. Caswell (with an accompanying paper);

A bill (S. 6610) granting an increase of pension to Samuel J. Dyer (with an accompanying paper);

A bill (S. 6611) granting an increase of pension to Samuel E. Reynolds (with an accompanying paper);

A bill (S. 6612) granting an increase of pension to Maryetta Thurber (with an accompanying paper);

A bill (S. 6613) granting an increase of pension to John V. Blanding (with an accompanying paper);

A bill (S. 6614) granting an increase of pension to Searles B. Young (with an accompanying paper);

A bill (S. 6615) granting an increase of pension to Alfred B. Spencer (with an accompanying paper);

A bill (S. 6616) granting an increase of pension to Margaret McKee (with an accompanying paper); and

A bill (S. 6617) granting a pension to Mabelle Church Kenyon; to the Committee on Pensions.

By Mr. LORIMER:

A bill (S. 6618) granting an increase of pension to Samuel E. Tuttle (with accompanying papers);

A bill (S. 6619) granting a pension to John August Bohman (with accompanying papers);

A bill (S. 6620) granting an increase of pension to James M. Rifenberck;

A bill (S. 6621) granting an increase of pension to Edwin Loosley;

A bill (S. 6622) granting a pension to Mary Wantz; and

A bill (S. 6623) granting an increase of pension to Albert Siler (with accompanying papers); to the Committee on Pensions.

A bill (S. 6624) for the relief of Catherine Grace; and

A bill (S. 6625) for the relief of Sergt. James W. Kingon; to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 6626) granting an increase of pension to Clark Jaco (with an accompanying paper);

A bill (S. 6627) granting an increase of pension to James Patterson;

A bill (S. 6628) granting an increase of pension to Balser Lutz (with an accompanying paper); and

A bill (S. 6629) granting an increase of pension to Alice S. Jordan (with an accompanying paper); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 6630) to amend an act 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," approved July 1, 1902; to the Committee on the District of Columbia.

By Mr. GORE (by request):

A bill (S. 6631) providing for the creation of a reserve oil-fuel supply for the United States Navy; to the Committee on Naval Affairs.

By Mr. LA FOLLETTE:

A bill (S. 6632) granting a pension to Hiram C. Barrows (with accompanying papers);

A bill (S. 6633) granting an increase of pension to Thomas H. Mason (with accompanying papers); and

A bill (S. 6634) granting an increase of pension to Samuel Brockway (with accompanying papers); to the Committee on Pensions.

By Mr. FLINT:

A bill (S. 6635) to amend section 6 of an act entitled "An act to regulate commerce," approved February 4, 1887, and acts amendatory thereof; to the Committee on Interstate Commerce.

A bill (S. 6636) for the relief of assignees in good faith of entries to desert lands; to the Committee on Public Lands.

REGULATION OF FEDERAL-COURT PRACTICE.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (S. 3724) regulating injunctions and the practice of district and circuit courts of the United States, which was referred to the Committee on the Judiciary and ordered to be printed.

CLAIM OF RITTENHOUSE MOORE.

Mr. BANKHEAD submitted an amendment proposing to appropriate \$3,653.05 in settlement of the claim of Rittenhouse Moore for over-width dredging in the Potomac River, city of Washington, etc., intended to be proposed by him to the sundry civil appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Appropriations.

FRENCH SPOILIATION CLAIM.

Mr. CRANE submitted an amendment intended to be proposed by him to the bill (H. R. 4680) for the allowance of certain claims for indemnity for spoiliations by the French prior to July 31, 1801, as reported by the Court of Claims, which was referred to the Committee on Claims and ordered to be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. LORIMER submitted an amendment intended to be proposed by him to the bill (H. R. 13832) 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, which was referred to the Committee on Pensions and ordered to be printed.

AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. FRAZIER submitted an amendment proposing to appropriate \$150,000 for continuing improvement by the construction of Locks and Dams Nos. 8 and 9, Cumberland River, Tennessee, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$5,000 for continuing the work of cleaning out and improving Caney Fork River, Tennessee, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. MARTIN submitted an amendment proposing to appropriate \$25,000 for straightening the north side of the channel at the entrance to Cape Charles Harbor, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$100,000 for the necessary dredging and widening of the approach to the western branch of the Elizabeth River, etc., intended to be proposed by him to the river and harbor appro-

priation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. GAMBLE submitted an amendment proposing to appropriate \$500,000 for the improvement of the Missouri River from Kansas City to Fort Benton, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$52,500 for building dams and constructing reservoirs at Lake Kampeska, Lake Poinsett, and on the Sioux River in South Dakota, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SCOTT submitted an amendment proposing to appropriate \$50,000 for improving Tug Fork, Big Sandy River, West Virginia and Kentucky, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BOURNE submitted an amendment providing for the survey of the Oregon Slough Branch of the Columbia River, opposite Vancouver, Wash., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BROWN submitted an amendment proposing to appropriate \$300,000 to assist in the development and extension of the canal in Nebraska under the government project known as the "Pathfinder project," intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. McENERY submitted an amendment proposing to appropriate \$20,000 for the improvement of the channel of Red River at Alexandria, La., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. TALIAFERRO submitted an amendment proposing to appropriate \$32,400 for continuing the improvement of St. John's River from Palatka to Lake Harney, Florida, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$300,000 for continuing improvement of St. John's River from Jacksonville, Fla., to the ocean, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$100,000 for improving St. Andrews Bay, Florida, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

He also submitted an amendment proposing to appropriate \$300,000 for improving Hillsboro Bay, Florida, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BRANDEGEE submitted an amendment providing for the examination and survey of the East Haven River, Connecticut, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

EDWARD A. KEELER.

Mr. LORIMER submitted the following resolution (S. Res. 183), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Senate resolution 183.

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place the name of Edward A. Keeler on the employees' roll of the Senate, to date from and after the passage of this resolution, at the rate of \$1,440 per annum, to be paid out of the contingent fund of the Senate pending further provision by law, and that such employment be continued until otherwise ordered by the Senate.

INCREASED COST OF LIVING.

Mr. ALDRICH. I move that the committee to examine into prices shall consist of eight members instead of seven, the additional member to be appointed by the Chair.

Mr. BACON. I should like to ask the attention of the Senator from Rhode Island for a moment to one feature. As the committee is now constituted, I understand that there are four of one political party and three of the other.

Mr. ALDRICH. There are five of one and two of the other.

Mr. BACON. Very well. I had no intimation as to the Senator's purpose to make this motion.

Mr. ALDRICH. My purpose is to give the Democrats an additional member.

Mr. BACON. I supposed that was it, and for that reason I made the inquiry.

The VICE-PRESIDENT. The Senator from Rhode Island moves that the membership of the committee to examine into the cost of living, and so forth, be increased from seven to eight, the additional member to be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. CHAMBERLAIN the additional member of the committee.

Subsequently, Mr. CHAMBERLAIN was, on his request, excused from service upon the committee.

RIVERS AND HARBORS—WATER RESOURCES.

Mr. NEWLANDS. Mr. President, it is my purpose to speak on the amendment to the river and harbor bill offered by me a few days since, and as I wish to be brief I request leave, with out reading, to print in the Record certain portions of the reports of the Inland Waterways Commission and the National Waterways Commission, a communication from President Taft, then Secretary of War, to the Commerce Committee regarding Senate bill No. 500, introduced by me at the last Congress; a letter from Mr. BURTON, the chairman of the Inland Waterway Commission, relating to the same bill, and other public documents.

The VICE-PRESIDENT. The Senator from Nevada asks unanimous consent to print as a portion of his speech certain documents to which he has referred. Is there objection?

Mr. SMOOT. I simply wish to ask the Senator if those documents were not printed in the speech delivered by him some months ago?

Mr. NEWLANDS. No.

Mr. SMOOT. It is entirely different matter from that I refer to. I have no doubt the Senator remembers.

Mr. NEWLANDS. The documents to which the Senator refers were with reference to the conservation movement. Yes; one of them was printed in that speech; but these are brief references simply, which are necessary to my argument; and I ask the consent of the Senate now, in order to avoid taking up their time with the reading.

Mr. SMOOT. I have no objection, Mr. President.

The VICE-PRESIDENT. No objection is heard, and the order asked for by the Senator from Nevada is entered.

AMENDMENT TO RIVER AND HARBOR BILL.

Mr. NEWLANDS. Mr. President, I offered a few days since an amendment to the river and harbor bill and requested that it lie on the table, and I gave notice of my intention to speak regarding it. Since then I have determined to amend the amendment by the insertion in line 9, after the word "of," of the words "navigation as a part of." I offer the amended amendment as a substitute for the former amendment, and ask its reference to the Committee on Commerce, and that it be printed in the Record.

The VICE-PRESIDENT. The amendment will be referred to the Committee on Commerce and printed. Is there objection to printing the amendment in the Record?

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Amendment intended to be proposed by Mr. NEWLANDS to the bill (H. R. 20686) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, viz: Insert the following:

"The President is authorized to bring into coordination and cooperation with the Corps of Engineers of the Army the other scientific or constructive services of the United States that relate to the study, development, and control of waterways and water resources and subjects related thereto, and to the development and regulation of interstate and foreign commerce, with a view to uniting such services through a board or boards in investigating questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce, including therein the related questions of irrigation, forestry, swamp-land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil waste, cooperation of railways and waterways, and promotion of transfer facilities and sites, and in forming comprehensive plans for the development of the waterways and water resources of the country for every useful purpose by cooperation between the United States and the several States, municipalities, communities, corporations, and individuals within the jurisdiction, powers, and rights of each, respectively, and with a view to assigning to the United States such portion of such development, promotion, regulation, and control as can be properly undertaken by the United States by virtue of its power to regulate interstate and foreign commerce and by reason of its proprietary interest in the public domain, and to the States, municipalities, communities, corporations, and individuals such portion as properly belongs to their jurisdiction, rights, and interests, and with a view to properly apportioning costs and benefits, and with a view to so uniting the plans and works of the United States within its jurisdiction, and of the States and municipalities, respectively, within their jurisdictions, and of corporations, communities, and individuals within their respective powers and rights, as to secure the highest development and utilization of the waterways and water resources of the United States; and he is authorized to appoint as members of such board or boards such engineers, transportation experts, and constructors of eminence as he may deem advisable: *Provided, however*, That until further authorized by law, the total expenditure under this provision shall not exceed — dollars."

THE WATERWAYS PROPAGANDA.

Mr. NEWLANDS. Mr. President, the question of the development of the waterways of the country has been receiving great attention within the past few years. Various organizations have been formed throughout the country relating to the development of our waterways, associations appropriately named for the promotion of such development in the Mississippi Valley, on the various tributaries of the Mississippi, on the Atlantic, the Pacific, and the Gulf coasts. This movement reached such headway through conventions and river and harbor congresses that Mr. Roosevelt, then President, took the matter in hand and appointed a commission in aid of his power of recommendation to Congress, called "the Inland Waterways Commission," which made a preliminary report to him, which report was subsequently submitted to Congress.

It was my privilege to serve on that commission, and whilst a member of it I introduced a bill, Senate bill No. 500, in the Sixtieth Congress, first session, for the organization of an inland waterways commission, for the coordination of the various scientific services of the Government that related in any way to the development of our waterways and water resources, and for cooperation between the Nation and the States, municipalities, and private interests in the development of these waterways. That bill, with certain modifications, was approved by the then Secretary of War and by the Inland Waterways Commission, of which Mr. BURTON, of Ohio, was the chairman. It was referred to the Commerce Committee and there considered. But it did not come up for passage.

Since then Congress itself took the matter in hand and appointed a National Waterways Commission, composed entirely of Senators and of Representatives, the previous Inland Waterway Commission appointed by the President under his executive power of recommendation being a mixed commission, consisting of two Senators, two Members of the House of Representatives, and five others—the Chief of the Engineer Corps of the Army, the Chief of the Reclamation Service, the Chief of the Forest Service, the Chief of the Bureau of Soils, and the Chief of the Bureau of Corporations.

Both these commissions have agreed substantially upon the lines of their recommendation as to legislation. They have declared for coordination of the scientific and constructive services of the Government in this great work and for the cooperation of the Nation with States, municipalities, corporations, and individuals that have any jurisdiction over or any right or interest in the development of our waterways, the purpose being to unite the information, the experience, of the scientific services of the Government, and to unite the energies of all the various sovereignties and of all the corporations and individuals having jurisdiction over or interest in the water resources of the country in developing our waterways, not only for navigation, but for every other useful purpose.

THE NATION'S POWER OVER WATERWAYS.

I apprehend that the Senate has little question regarding the importance of these related questions in considering that of navigation. The power of the United States, so far as our waterways is concerned, is derived from that clause of the Constitution which gives Congress the power to regulate interstate and foreign commerce. Navigation being a part of interstate and foreign commerce, thus comes within the national jurisdiction.

The Nation also has an additional interest in the waterways of the country arising from its proprietary interest in the public domain; a larger interest than any other single proprietor in the United States. It is by reason of this constitutional power and by reason of this proprietary right that the Nation itself is called upon to act and can justify its action.

So far as every other matter is concerned the jurisdiction necessarily belongs to the States under their reserved powers. The aim of all legislation should be to combine the powers and energies of all interested in these waterways in united plans, in comprehensive plans, and in united action which will result in each doing its appointed work within its jurisdiction and powers under a comprehensive plan so framed.

Mr. HEYBURN. Mr. President—

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

Mr. NEWLANDS. Certainly.

COOPERATION WITH STATES.

Mr. HEYBURN. I do not know whether or not the Senator from Nevada desires to proceed uninterruptedly, but I should like to know whether the proposition is to coordinate by law or by consent outside of legislation as between the States and the Government.

Mr. NEWLANDS. No coordination, of course, between the Nation and the States will be effective without the consent of both; and that, of course, can only be secured by law.

Mr. HEYBURN. Mr. President, I should like to know whether or not, in the judgment of the Senator from Nevada, it is competent for either the State or the Nation to enlarge or subtract from the constitutional powers that they have in regard to legislating, and whether there can be any overlap even by consent.

Mr. NEWLANDS. Mr. President, I would have covered that before completing my remarks, and I should prefer, as I wish to be brief, to go on without interruption, if the Senator will permit me; but I will answer now the question put by the Senator.

Mr. HEYBURN. I merely desire, with the Senator's permission, to say that I only asked a question after inquiring of the Senator whether he desired to go on uninterruptedly.

Mr. NEWLANDS. Certainly; I acquit the Senator from Idaho of any intention to embarrass me, but I simply stated that I wished to be brief, and therefore would prefer to answer questions at the close of my remarks; but I will answer now the question put by the Senator from Idaho.

The Senator from Idaho asks whether it is competent for either the Nation or the State by agreement with each other to enlarge the jurisdiction or the power of either or to act outside of the jurisdiction and powers conferred upon both by their organic law.

I wish to say, regarding this, that I do not believe the power of the Nation can be enlarged without constitutional amendment, and I do not believe that the power of the States can be enlarged without constitutional amendment, and that certainly the powers of neither can be enlarged without constitutional change in such a way as to enable either to trench in any manner upon the power of the other; but the view I take of it is that the Nation and the State, each within their respective jurisdictions, are sovereign; that sovereigns have the right to deal with each other; and that, in a matter of common interest and of common benefit, where the action of both is absolutely necessary in order to carry out a beneficial purpose, whilst Congress itself may not act as the representative of all the States, because no power has been delegated to it for that purpose, yet it can act in such a way that with the cooperation of the States secured through their independent legislation a beneficial result can be accomplished.

Mr. HEYBURN. Mr. President, may I be pardoned for trespassing upon the time of the Senator from Nevada?

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

Mr. NEWLANDS. I do.

Mr. HEYBURN. Does that amount to more than proposing that the United States shall lobby in the legislatures in order to secure certain concessions, and that the legislatures shall lobby in Congress in order to procure certain concessions? Is not that what it amounts to?

Mr. NEWLANDS. No; Mr. President, I look to no such undignified action on the part of either sovereign. The purpose of my amendment is to provide a dignified method of counseling between the Nation and the States through the selection of boards appointed by the President, which can confer with similar boards organized by the States with reference to matters of common interest, the framing of plans which can be suggested to both sovereigns for their ratification and approval; plans which will fall without the ratification and approval of both; the purpose being to create simply the machinery of consultation, the machinery of cooperation between equal sovereigns, all acting within their respective jurisdictions.

THE RELATED USES OF WATER.

Mr. President, I imagine that there will be little difference of opinion that these related questions of forestry, of the reclamation of arid lands, of the drainage of swamp lands, of the development of water power, and the clarification of streams, all have a relation to the development of waterways for the purpose of navigation. The development of a waterway for navigation may be entirely impracticable because of its cost; but if we can unite with the development of that waterway, the reclamation of the arid lands above, the drainage of swamp lands below, and the intermediate development of valuable water power, we then add to the natural resources of the country and create values which in themselves will be compensatory of the entire work, whereas the work would not be in any measure self-compensatory if confined to navigation alone.

We have in this Government various scientific services, services of a very high standard, services of great esprit de corps, services that have won the admiration and respect not only of

Congress, but of the entire country. These services are now acting entirely separate and apart from each other, and yet they are all practically acting upon parts of the same subject-matter.

We have the Engineer Corps of the Army operating simply upon the question of navigation. Their efforts thus far have been largely confined simply to the maintenance of a stable channel through the operations of dredging and bank protection. We have the Reclamation Service engaged in the diversion of the flood waters of the upper reaches of streams, carrying those flood waters over the arid lands, and thus aiding in the prevention of the extraordinary floods which impair the efficiency of the channel of the river below. We have in them an agency for flood prevention and for the storage of the flood waters which will aid and promote navigation. Then, we have below vast areas of swamp land, rich with alluvial soil, the deposits of ages, almost useless because of the annual overflow, and the channel of the river itself so scattered and diverse as not to permit navigation anywhere.

The problem there is to make one navigable channel by bank protection and by bank levees, and by one process thus clear the channel for navigation and at the same time promote the reclamation of vast areas of rich and fertile land. So, also, in the development of our works for navigation we are compelled in places to provide for dams and locks in the rapids of the river where there is a rapid fall, and those dams and locks are useful for the development of water power, which in itself is partly compensatory of the project.

We have, then, the Reclamation Service; we have the Forest Service; we have the Weather Service; we have the Soils Service; we have the Coast and Geodetic Survey; and we have the Geological Survey, all of them engaged in the study of questions relating to water, its development, and its regulation and control. Is it not the businesslike thing to provide some method by which those services can be brought together for consultation and joint action?

The purpose of this amendment is to permit the President of the United States to bring into coordination, through a board or boards, these related services; to bring them into coordination with the Corps of Engineers of the Army, leaving that as the central organization in connection with the development of our waterways, as it has been for so many years, but giving it the benefit of the advice and the accumulated experience and information of these great services which have been making a study of similar subjects.

WATER AND RAIL COOPERATION.

Then there is the question of transportation. The National Waterways Commission in its very elaborate and able report presents the question of the development of our waterways in connection with railways, insisting that the decline of waterway transportation thus far has been due to the fact that the railways have discouraged water transportation and have sought by unfair competition to destroy it. So, in connection with this great work, we should be allowed the opportunity of calling upon the great transportation experts of the country, and also the members of the Interstate Commerce Commission themselves, for the purpose of advising this board, or these boards, regarding methods that will bring water and rail into cooperation and make each the friend and ally instead of the enemy of the other.

Then, outside of the scientific services of the Government, we have developed in this country the greatest engineers and the greatest constructors known in the world's history—great architects, great builders, great engineers. We should have the benefit of the information, the experience, and the advice of these in the formation of plans; and the amendment which I propose gives the President of the United States the power to add to such board or boards engineers, constructors, and transportation experts of eminence, with a view to aiding in the formation of these comprehensive plans.

COOPERATION WITH STATES.

Mr. President, the next question is the cooperation between the Nation and the States in this great work. Thus far we have been content with Congress alone as the agency of the States in matters requiring union of effort; but our Nation is a sovereignty of limited powers. It can act only under the granted powers, and it is impossible for it to act as sovereign upon every branch of the questions relating to the development of our waterways.

Its sovereign power rests upon navigation alone. Its proprietary interest rests upon its ownership of the public domain. Within its power and its interest it can act, but outside of them it can not, except in the way of forming helpful plans, in which the individual States, corporations, and municipalities can cooperate. So it is proposed in this amendment that the President shall take steps, through the board or boards, to frame

comprehensive plans involving the powers and the rights of States, corporations, and municipalities, giving them the power to confer with similar organizations, authorized by these sovereignties and interests, and thus to frame comprehensive plans which will finally be submitted to Congress for its action and to the various States for their action, and which, if carried through, will result not only in comprehensive plans, but in comprehensive and efficient work.

IMPORTANCE OF PERFECTING ORGANIZATION.

Mr. President, it is important, it seems to me, that action should be taken now, and that action should be taken upon the river and harbor bill, for, under the impetus of public sentiment and driven by public opinion, notwithstanding that this is a year of deficit, the House of Representatives has passed a bill involving appropriations of \$42,000,000. So that the policy is now to be entered upon, and they declare that a part of the policy is continuing appropriations and an annual appropriation bill. The chairman of the Rivers and Harbors Committee of the House has declared that the appropriation of \$42,000,000 contained in the bill covers simply parts of projects which have been approved by the engineers of the army, whose ultimate cost will be over \$225,000,000. He also states that outside of these projects, the partial construction of which is permitted by the bill, the engineers of the army have approved projects costing about \$85,000,000. So that we are already committing ourselves now to projects involving \$300,000,000, and, if we confine ourselves to them, it means within a period of ten years an annual appropriation of \$30,000,000. But the American people will not be content with this.

TRANSPORTATION A CHARGE ON OUR NATURAL RESOURCES.

The railroad managers have declared that it is essential, in order to meet the transportation requirements of the country in the near future, that at least \$5,000,000,000 shall be expended upon the railways of the country. That \$5,000,000,000 is a charge upon the natural resources of the country, as is so well stated in the report of the national commission. The interest upon it, amounting to at least \$250,000,000 annually, will be paid by the shippers of the country, and is it not a wise thing for us to consider whether we can not reduce in part the necessity for such enormous expenditure by spending within the next ten years \$500,000,000, and even perhaps a billion dollars in the aggregate? It is reasonably to suppose that the expenditure of a billion dollars in waterway transportation at the rate of \$100,000,000 a year during the next ten years will save more than half of the necessary expenditure of \$5,000,000,000 upon the railways.

Why is it that the railways have been unequal to the transportation requirements of the country? Why was it that two or three years ago they broke down just before the panic? It was simply because the railroads were made the agencies of transporting the bulky and cheap products of the country, products which could be better and more cheaply carried by water, and in reference to the transportation of which time was not an essential. Inquire of any railroad man, and you will find that the breaking down of the transportation system of the country was not due to the transportation of the high-priced products, which pay high freight, but to the coarser products, the products of the mine, the products of the field and the farm, such products as in Germany are carried mainly by waterway transportation, and which in this country, if we perfect our waterway transportation, can be carried largely upon the rivers of the country; so that it is important for us to act now and to establish the system under which we are to proceed.

The amendment which I have offered, whilst not going so far as I would desire to do, as indicated in my appendix to the report of the Inland Waterways Commission, goes as far as the judgment of Congress will at present sanction; but I believe that, so far as providing for coordination of the scientific services of the country, providing for comprehensive plans, and for cooperation between the Nation and the States is concerned, Congress will readily see the propriety of this amendment. Then we will have enlisted not only the information and experience of the Engineer Corps of the Army, but the information and experience of every scientific service of the Government and the services of the best engineers, constructors, and transportation experts of the country in the solution of these important problems; and we can enter upon this great work with comprehensive plans, assigning to each sovereign its duty, to each interest its duty, properly apportioning costs and benefits, instead of entering upon an accidental and disjointed development, which may result, I fear, in the shipwreck of the waterway movement of the country.

THE ENGINEER CORPS OF THE ARMY.

Now, Mr. President, I wish to disclaim at the very start any purpose in this amendment to cut down in any way the duty or the effectiveness of the Engineer Corps of the Army. No one

has a higher respect than I have for that organization; but we must recall the fact that there are only, I believe, 180 officers in it. The Engineer Corps of the Army takes the pick of every class that is educated at West Point. When any class is graduated in which there are not men of the quality that is required for the Engineer Corps of the Army, as we have been told by President Taft, it is the custom of the Engineer Corps to report that it will not require additional officers that year. So that the area of their selection is limited. You can not increase the Engineer Corps efficiently to-day by providing that instead of taking five men from each class you will take ten men from each class, for if you do that, the chances are that the lower five will be men not possessing the high qualifications which thus far have characterized that corps.

You can only increase the number of engineers coming from West Point by largely increasing the membership of West Point itself. If to-day only 5 per cent of the West Point graduates are fitted for the Engineer Corps of the Army, you can not take 10 per cent and make them efficient for that corps. If to-day the number that graduates every year is 100, you will have to enlarge the number to 200 in order to secure by the selection of 5 per cent hereafter a double number of engineers equal in efficiency to those who have heretofore served the Government. So it is a difficult thing to enlarge the Engineer Corps of the Army; and, as stated by Secretary Taft in his letter with reference to the bill which I had pending in this body, the Engineer Corps of the Army is not a body of initiative. He speaks of it as one of the merits and one of the virtues of the Engineer Corps of the Army that it is not a body of initiative. They obey the directions of Congress; when Congress asks them to make a survey, they make it; and when Congress asks them to make a report, they make it; but they do not enter upon the study of this great subject with the idea of initiating, with the idea of forcibly presenting to Congress the considerations which are in their minds that call for the development of the waterways of the country. That is what we need; and we will get that element by incorporating with them the chiefs of the great scientific services of the country and the great engineers, constructors, and transportation experts, whose appointment this amendment calls for. Here is what Secretary Taft said upon this subject in his letter of April 17, 1908, addressed to the Senate Committee on Commerce regarding Senate bill 500, which I had introduced in the Sixtieth Congress and which was similar in its terms to Senate bill 3717, introduced by me in this Congress:

(c) The bill provides for correlating the existing agencies in the Departments of War, Interior, Agriculture, and Commerce and Labor through certain powers vested in the President. The need for some such plan is sufficiently shown by the fact that while this country is better endowed with waterways than any other our streams are less used for navigation and other public purposes than those of other countries. Since this provision touches duties placed on the War Department by law, it has received careful consideration. It does not appear that the measure would interfere with the functions of the War Department, or with the continuation and extension of the engineering work now performed there, but it is believed that the provision for administration would tend to promote the general welfare. Accordingly this feature meets the approbation of the War Department.

(e) The bill provides also for the initiation of projects by a board of experts. These provisions affect the work of the War Department and have had careful consideration. Suitable provisions for expert initiation and prompt execution are essential to the proper development of any system of river improvement. The chief defect in the methods hitherto pursued lies in the absence of executive authority for originating comprehensive plans covering the country or natural divisions thereof. The creation of an Inland Waterways Commission for the purpose of initiating plans for the improvement of waterways seems to me a more effective way of a general plan for the improvement of all the waterways in the country than under the present provisions of law. This would not dispense with the admirable machinery furnished by the War Department for the improvement of waterways when the plan has been determined upon and is to be executed. But it supplies what does not exist in the law now—a tribunal other than Congress charged with the duty of originating and developing a satisfactory plan.

Secretary Taft adds:

3. In its present form the bill might be construed to curtail indirectly certain functions of the War Department, which is now charged with large discretion in waterway affairs. Possible ambiguity on this point should be removed.

Mr. Taft goes on and gives the history of the Engineer Corps of the Army and shows how it drifted into the control of our waterways.

Under the same long-standing arrangement—

Mr. Taft says—

It is the policy of the War Department to maintain a trained body of military engineers with a view to the national defense, and to keep these engineers in training in time of peace by detail to civil duty allied to their professional duty in time of war or military preparation; and it was carrying out this policy that the functions of the War Department pertaining to waterways have been more and more largely entrusted to the engineers of the army during the one hundred and ten years since the army and navy were separated in distinct departments. This policy has long been sustained by the Congress, although the military engineers have been prohibited from initiating projects or

originating plans for meeting the growing needs of commerce. It is desirable to continue the policy of keeping the military engineers in training and at the same time rendering their skilled service available in work on waterways, although it is not necessary to vest them with the power of initiative, which they have not exercised in the past and which is, perhaps, inconsistent with their primary duty in connection with the military establishment of which they form a part. A provision that the Chief of Engineers of the Army shall be a member of the commission proposed to be created, and a further provision specifically covering the detail of military engineers to the service of the commission whenever such detail shall be consistent with their military duties, would remove any possible ambiguity and would be in accord with the custom and policy of the War Department.

Now, let me say here that that bill went much further than the amendment which I now propose. It organized an inland waterways commission absolutely separate from the War Department itself, though it made the Chief of Engineers of the Army the chairman of the commission; and that proposal was approved by Mr. Taft. This amendment leaves the entire work under the direction of the Corps of Engineers of the Army, but simply gives the President power to appoint in connection with it, on such board or boards as he may deem advisable, the chiefs of the related scientific services and the experts to whom I have referred, leaving the Corps of Engineers of the Army as the central and dominant figure of the entire organization.

THE WATERWAYS COMMISSIONS APPROVE.

Here also is the letter of the Inland Waterways Commission, signed by THEODORE E. BURTON, chairman, which, referring to this bill, states as follows:

1. Several of the leading provisions of the bill are in accord with the recommendations of the commission in a report submitted on February 3 last and transmitted to the Congress by the President on February 26. Among these are (a) the provision for coordination of navigation with related uses of the waters; (b) the provision for cooperation between the Federal Government, States, municipalities, communities, corporations, and individuals; (c) the provision for correlating existing agencies in the Departments of War, Interior, Agriculture, and Commerce and Labor in such manner as to secure effective administration; and (d) the provisions looking toward the control of running waters in such manner as to protect and promote navigation. In so far as these provisions are concerned, the bill has the unqualified approbation of the commission.

3. The general purpose of the bill is in harmony with the comprehensive plan for improving and developing the waterways of the country framed by the commission and approved by the President in his message of February 26 last.

It is fair to say that this expression was somewhat modified by General Mackenzie, Chief of the Engineer Corps, whose views, however, as I recall, accord with the modified provisions of the pending amendment.

I think the honored chairman of that committee, Mr. BURTON, will bear witness with me as to the intelligent service rendered by the chiefs of the scientific services of the country who were on that commission. I am sure that ever since my experience with them I have had a higher idea of their efficiency, their capacity, and their high public spirit. I know of no organization in a business way in the country that surpasses the scientific services of the country in integrity and in efficiency.

Now, this amendment does not do away at all with the functions of the existing National Waterways Commission, whose views, as expressed in a recent report, I think I am justified in saying, are in accord with this amendment. That is a joint commission of legislators, and composed, as it is, of Members of both the Senate and the House, it will perform the high functions of consulting with and hearing these various experts and boards with a view to submitting to Congress their recommendations; and with these thoroughly sifted recommendations it will be hardly possible for the Nation to go wrong in this great work.

LARGER POWERS DESIRABLE.

I wish to read, as embodying my individual views upon this matter, a short statement from the report of the Inland Waterways Commission—views which I have not sought to incorporate in this amendment because I fear that Congress as yet is not prepared to accept them. They are as follows:

I concur in the report of the commission, but desire to emphasize my belief that it is of the highest importance that in dealing with subjects relating to the respective powers, rights, and interests of the Nation, States, municipalities, corporations, and individuals, large powers and a comparatively free hand should be given to an administrative body of experts in the full development of projects, lest the complexity of the transactions, the time necessary to secure congressional approval, and difference of view as to purpose or method, may result in indecision and delay, the worst enemies of effective development.

An ample fund should be provided, to be replenished from time to time either by legislative appropriation or by bond issue, and the administrative board, or commission, should be given the power, not only to investigate projects, but also, when determined to be feasible, to enter, with the approval of the President, upon their immediate execution; but the power should be limited so as to prevent such administrative body from entering into any contract unless there are sufficient unappropriated moneys in the fund to meet the cost thereof.

Unless some method of construction and development insuring prompt decision and execution and continuous and consecutive work by a body of experts is adopted, I fear that the best of projects may be wrecked in the shoals and quicksands of legislation.

Mr. President, I still adhere to those views. I feel sure, however, that in the present condition of mind of Congress it will be impossible for them to ripen into legislation, and all I ask in this amendment is that Congress should practically incorporate in this bill now a recommendation, which has been approved by the Inland Waterways Commission, by the National Waterways Commission, and by Mr. Taft himself, when Secretary of War.

CONSERVATION COMMISSION AND CONFERENCE OF GOVERNORS.

I wish to say just one word further. The Senate will recall that the Inland Waterways Commission suggested to the President the propriety of calling the conference of governors, and that just before that conference met the so-called "conservation commission," appointed by President Roosevelt, met, divided into four sections, relating to land, to water, to mines, and to forests. That commission consisted, besides legislators from both Houses, of eminent men, scientific men, engineers, and constructors appointed from every part of the country, and in it were a great number of men who constituted a part of the scientific services of the country. The work of that commission was mainly done by the members of these scientific services. The Senator from Ohio [Mr. BURTON] presided over the section in that commission relating to waters, Representative DALZELL over the section relating to mines, Senator NELSON over the section relating to lands, and Senator SMOOR over the section relating to forests. The commission, as a whole, was presided over by Mr. Pinchot. The proceedings were purely executive. No newspaper reporters were there.

The sessions lasted four or five consecutive days. I have never known deliberative proceedings to be conducted with more logical sequence than those were conducted, mainly under the direction of prominent men connected with the scientific services of the country. Their statements and their treatises upon various subjects under consideration were brief and concise, and their conclusions, with certain modifications, were finally drawn up and constituted the basis of the report of the governors' conference; and if you will read over that report, unannouncedly acquiesced in by the governors of the great States, you will find the principles of coordination and of cooperation, such as are outlined in this amendment clearly sustained and vindicated.

I quote from the declaration of the governors, as follows:

We declare our firm conviction that this conservation of our natural resources is a subject of transcendent importance, which should engage unrelentingly the attention of the Nation, the States, and the people in earnest cooperation. These natural resources include the land on which we live and which yields our food; the living waters which fertilize the soil, supply power, and form great avenues of commerce; the forests which yield the materials for our homes, prevent erosion of the soil, and conserve the navigation and other uses of the streams; and the minerals which form the basis of our industrial life, and supply us with heat, light, and power.

We agree that the land should be so used that erosion and soil wash shall cease; and that there should be reclamation of arid and semiarid regions by means of irrigation, and of swamp and overflowed regions by means of drainage; that the waters should be so conserved and used as to promote navigation, to enable the arid regions to be reclaimed by irrigation, and to develop power in the interests of the people; that the forests which regulate our rivers, support our industries, and promote the fertility and productivity of the soil should be preserved and perpetuated; that the minerals found so abundantly beneath the surface should be so used as to prolong their utility; that the beauty, healthfulness, and habitability of our country should be preserved and increased; that the sources of national wealth exist for the benefit of the people, and that monopoly thereof should not be tolerated.

We commend the wise forethought of the President in sounding the note of warning as to the waste and exhaustion of the natural resources of the country, and signify our high appreciation of his action in calling this conference to consider the same and to seek remedies therefor through cooperation of the Nation and the States.

We agree that this cooperation should find expression in suitable action by the Congress within the limits of and coextensive with the national jurisdiction of the subject, and, complementary thereto, by the legislatures of the several States within the limits of and coextensive with their jurisdiction.

We declare the conviction that in the use of the national resources our independent States are interdependent and bound together by ties of mutual benefits, responsibilities, and duties.

We recognize in our waters a most valuable asset of the people of the United States, and we recommend the enactment of laws looking to the conservation of water resources for irrigation, water supply, power, and navigation, to the end that navigable and source streams may be brought under complete control and fully utilized for every purpose. We especially urge on the Federal Congress the immediate adoption of a wise, active, and thorough waterway policy, providing for the prompt improvement of our streams and the conservation of their watersheds required for the uses of commerce and the protection of the interests of our people.

THE TAWNEY AMENDMENT.

I wish to add one reason why this should be done. You will all recall that Congress was somewhat impatient toward the close of Mr. Roosevelt's administration, because of his liberal appointment of commissions without statutory sanction. His contention was that under his power of recommendation to Congress he had the power to call to his aid any men or any body

of men for the purpose of advising him regarding matters which he proposed to submit to Congress. He sought later to have these commissions, which had not the sanction of statute, but were purely executive commissions, organized under the recommendatory power of the President, made statutory commissions. Congress did not acquiesce. But it went beyond that, and provided in the sundry civil act, section 2, what is known as the "Tawney amendment," as follows:

That hereafter no part of the public moneys, or of any appropriation heretofore or hereafter made by Congress, shall be used for the payment of compensation or expenses of any commission, council, board, or other similar body, or any members thereof, or for expenses in connection with any work or the results of any work or action of any commission, council, board, or other similar body, unless the creation of the same shall be or shall have been authorized by law; nor shall there be employed by detail, hereafter or heretofore made, or otherwise, personal services from any executive department or other government establishment in connection with any such commission, council, board, or other similar body.

Though it was probably not in the contemplation of the distinguished author of this amendment, it is at least a serious question to-day whether the President of the United States can bring together the members of the government services in an advisory board or council in relation to matters concerning which they have information and experience, and with reference to which he desires their judgment.

We have a case in Nevada, where the Truckee River irrigation project was under consideration, a river which takes its source in Lake Tahoe and which flows into Nevada, and which is now being utilized both for the reclamation of arid lands and the development of water power. The contention arose between the Reclamation Service and the Forest Service as to their jurisdiction and as to what principle should control in the development of forestry, of water power, and of reclamation, and appeal had been taken to the President. The river was an interstate river, partly in California and partly in Nevada; the lake was an interstate navigable lake. Thus the project involved three jurisdictions, that of the Engineer Corps of the Army as to the damming of a navigable lake, the Forest Service, and the Reclamation Service.

I urged the creation of a joint board consisting of the chiefs of the Reclamation and Forest services and of the Engineer Corps, who, with the aid of a civilian engineer of distinction and an officer of the Department of Justice, could thrash out all the difficulties and make report either unanimously or by majority and minority division by which the Secretary of the Interior or the President could be guided.

But it was at least doubtful under the terms of the Tawney amendment whether this could be done, and the President is compelled to proceed laboriously to enter into the contentions of divergent services, when, if they could only get together in a board or council, all dissensions would probably disappear, or, at all events, the points of difference would be so reduced as to make decision easy. So it seems to me that we should have some action upon this subject.

I am aware that I have taken more time than I intended in the development of this amendment. I thought I would present it in the Record for the consideration both of Members of the House and the Senate, notwithstanding the fact that the Commerce Committee of the Senate is soon to enter upon its deliberations. I think it would be an excellent thing if we could have, before the river and harbor bill is reported by the Committee on Commerce, some general discussion upon this subject, and I trust we shall have the privilege of listening to the Senator from Ohio [Mr. BURTON], the chairman of the Inland Waterways Commission and the chairman of the National Waterways Commission, who is now also a member of the Commerce Committee of the Senate, and whose great familiarity with these subjects makes him a recognized authority.

Mr. President, I now ask that the amendment be referred to the Committee on Commerce.

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Without objection, it is so ordered.

Mr. NEWLANDS. I shall print as an appendix Senate bill 3717, introduced at this session of Congress, which is similar in its terms to Senate bill 500 of the Sixtieth Congress, first session, with reference to which Secretary Taft's letter, to which I have referred, was written:

In the Senate of the United States December 10, 1909, Mr. NEWLANDS introduced the following bill (S. 3717, 61st Cong.), which was referred to the Committee on Commerce:

"A bill (S. 3717) providing for the appointment of an inland waterway commission and for the improvement and development of the inland waterways of the country, with a view to the promotion of transportation between the States and with foreign countries.

"Be it enacted, etc., That a special fund shall be established in the Treasury, to be known as the inland waterway fund, to be used in the examination, survey, and development of the navigable inland waterways of the United States for the purpose of regulating, improving, and protecting interstate and foreign commerce; and the sum of \$50,000,000

annually for each of the ten years following the 1st day of July, 1910, is hereby reserved, set aside, and appropriated as such fund.

"SEC. 2. That the President of the United States is hereby authorized to cause to be examined surveys heretofore made and cause to be made additional examinations and surveys for the development of the navigable inland waterways of the United States, including the Great Lakes, the Mississippi River and its tributaries, the navigable rivers, bays, and sounds of the Gulf of Mexico and their tributaries, the navigable rivers, bays, and sounds of the Atlantic coast and their tributaries, the navigable rivers, bays, and sounds of the Pacific coast and their tributaries, and for the connection of such rivers, lakes, bays, and sounds with each other, wherever practicable and desirable, by connecting canals and by coastal canals, with a view to the promotion of transportation between such waterways by vessels of appropriate draft; and to investigate all questions relating to the development and improvement of the inland waterways of the United States, with a view to the promotion of interstate and foreign commerce; and in connection therewith and in aid thereof to consider and coordinate the questions of irrigation, swamp-land reclamation, clarification of streams, utilization of water power, prevention of soil waste, protection of forests, regulation of flow, control of floods, transfer facilities and sites, and the regulation and control thereof, for the better regulation and protection of interstate and foreign commerce, and such other questions regarding waterways as are related to the development of rivers, lakes, and canals for the purposes of commerce and navigation.

"SEC. 3. That in order to enable the President to make such examinations, surveys, and investigations, and to construct the works provided for by this act, he is authorized to appoint, by and with the consent of the Senate, an Inland Waterway Commission, to be composed of not exceeding nine members, of which at least three members shall be detailed from the active or retired list of the Corps of Engineers, United States Army, including the Chief of Engineers of the Army, and to bring in coordination therewith the Corps of Engineers of the Army, the Bureau of Soils, the Forest Service, the Bureau of Corporations, the Reclamation Service, and other branches of the public service related to waterways, and to appoint such experts and other persons and create such board or boards in connection therewith as the work may require, and to fix the salaries of all commissioners, experts, and other persons employed under this act, other than those who may now be officers or employees of the United States, until the same have been fixed by Congress. The President is authorized to detail military engineers to the service of the commission whenever such detail shall be consistent with their military duties: *Provided*, That no additional compensation shall be paid anyone otherwise receiving an official salary as an officer or employee of the United States, other than such necessary traveling expenses as may be approved by the chairman of the commission, and in the case of a retired officer an amount equal to difference between retired and full pay and allowances of grade.

"SEC. 4. That such commission shall make to the President annually, and at such other periods as may be required either by law or by the order of the President, full and complete reports of all their acts and doings and of all the moneys received and expended in the construction of works and in the performance of their duties in connection therewith, which reports shall be by the President transmitted to Congress; and such commission shall furthermore give to either House of Congress such information as may at any time be required, either by act of Congress or by order of either House of Congress.

"The President shall cause to be leased or otherwise provided for the use of the commissioners and other employees under this act such offices in the District of Columbia and elsewhere as may, with the suitable equipment of the same, be necessary and proper in his discretion for the proper discharge of their duties.

"SEC. 5. That if, after proper examination, survey, and estimate, such commission shall determine that any project for the improvement or construction of an inland waterway or coastal waterway is practicable and desirable for the better regulation, protection, and development of interstate and foreign commerce, such project, when authorized by Congress, may be executed in whole or in part through the proper agencies of the Government as now established by law.

"SEC. 6. That such projects may include such collateral works for the irrigation of arid lands, for the reclamation of swamp lands, for the conservation or replacement of forests, for the clarification of streams, control of floods, and for the development and utilization of water power as are in aid of navigation.

"SEC. 7. That such commission is authorized, with the approval of the President, and under such regulations and conditions as he may prescribe for the protection and future interests of the Government and people of the United States, to enter into cooperation with States, municipalities, communities, corporations, and individuals in such collateral works as will aid in improving the navigability of the rivers and other waterways of the United States, and to make arrangements for the proportionate payment of the cost thereof out of the inland waterway fund and by the States, municipalities, communities, corporations, and individuals benefited thereby, in such manner as to secure an equitable distribution of the costs and benefits.

"SEC. 8. That in carrying out the provisions of this act regard must be had, as far as practicable, to the equitable apportionment and contemporaneous execution of the projects contemplated under this act among the several waterway systems of the United States.

"SEC. 9. That the President is authorized, whenever the current revenues are insufficient to provide the \$50,000,000 annually appropriated for the inland waterway fund, to make up the deficiency in such fund by the issue and sale of United States bonds, bearing interest at a rate not exceeding 3 per cent per annum, payable semiannually and running for a period of not exceeding thirty years."

ADJOURNMENT TO MONDAY.

Mr. GALLINGER. Mr. President, after consulting with Senators having in charge important matters of legislation, it appears that no harm will come to the public business from an adjournment over until Monday, and I therefore move that when the Senate adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

REGULATION OF FEDERAL COURT PRACTICE.

The PRESIDING OFFICER. The calendar under Rule VIII is in order.

The bill (S. 3724) regulating injunctions and the practice of the district and circuit courts of the United States was announced as the first bill in order on the calendar.

Mr. GALLINGER. Let the bill go over.
The PRESIDING OFFICER. It will go over.

ARLINGTON MEMORIAL BRIDGE.

The bill (S. 1630) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington property was announced as the next business in order.

Mr. GALLINGER. Let it go over also.

The PRESIDING OFFICER. It will go over under objection by the Senator from New Hampshire.

GOVERNMENT OF HAWAII.

The bill (S. 3360) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 13, 1900, was announced as the next business in order.

Mr. BORAH. I ask that the bill may go over.

The PRESIDING OFFICER. On the suggestion of the Senator from Idaho the bill will go over without prejudice.

GOVERNMENT OF ALASKA.

The bill (S. 5436) to create a legislative council for the district of Alaska, to confer legislative powers thereon, and for other purposes, was announced as the next business in order on the calendar.

Mr. GALLINGER. Let it go over.

Mr. BORAH. The Senator from Indiana is not here. I desire to make a motion that the bill go over under Rule IX. I will refrain from doing so, however, until the Senator from Indiana is present.

The PRESIDING OFFICER. The bill goes over without prejudice upon the suggestion of the Senator from New Hampshire.

WALES ISLAND PACKING COMPANY.

The bill (S. 1035) authorizing and directing the Secretary of State to examine and settle the claim of the Wales Island Packing Company was announced as the next business in order.

Mr. JOHNSTON. Let the bill go over, Mr. President.

The PRESIDING OFFICER. Upon objection of the Senator from Alabama, the bill will go over.

POSTAL SAVINGS DEPOSITORIES.

The bill (S. 5876) to establish postal savings depositories for depositing savings at interest with security of the Government for repayment thereof, and for other purposes, was announced as the next business in order on the calendar.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. It will go over.

PANAMA CANAL ACT.

The bill (H. R. 12316) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes, was announced as the next business in order on the calendar.

Mr. JOHNSTON. Let it go over.

Mr. KEAN. The bill has already been read, and the Senator from California [Mr. FLIN] is absent. I think it had better go over.

The PRESIDING OFFICER. The bill will go over.

TEMPORARY WITHDRAWALS OF PUBLIC LANDS.

The bill (S. 5485) to authorize the Secretary of the Interior to make temporary withdrawals of areas of public land pending report and recommendation to Congress or for examination and classification was announced as the next business in order.

Mr. KEAN. Let the bill go over. The Senator from Minnesota [Mr. NELSON] asked me to see that it went over.

GOVERNMENT BUSINESS-METHODS COMMISSION.

The bill (S. 6168) creating a government business-methods commission was announced as the next business in order.

Mr. KEAN. Let it go over also.

The PRESIDING OFFICER. The bill will go over on objection of the Senator from New Jersey.

AMENDMENT OF THE MORRILL ACT.

The bill (S. 530) to amend an act entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," approved July 2, 1862, and the acts supplementary thereto, so as to extend the benefits thereof to the District of Columbia, was announced as the next business in order.

Mr. KEAN. This bill should go over also.

The PRESIDING OFFICER. Under objection it will go over.

PENSIONS TO WIDOWS OF SOLDIERS AND SAILORS.

The bill (S. 6058) amending section 2 of an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with

Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war," approved April 19, 1908, was announced as the next business in order on the calendar.

Mr. KEAN. Let it go over. It should go to the calendar under Rule IX.

Mr. BULKELEY. In the absence of the chairman of the committee, I hope the bill will not be sent to the calendar under Rule IX.

The PRESIDING OFFICER. Under objection the bill will go over without prejudice.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 6431) 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, was considered as in Committee of the Whole. It proposes to pension the following persons at the rates stated:

Max Riedel, late of Company C, Thirty-ninth Regiment New York Volunteer Infantry, and Company H, Sixth Regiment Veteran Reserve Corps, \$24 per month in lieu of that he is now receiving.

John Todd, late of Company D, Third Regiment Missouri Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Alonzo Blood, late of Company G, Second Regiment United States Volunteer Sharpshooters, and Company B, Fifth Regiment New Hampshire Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

John H. Sims, late of Company H, Thirty-fourth Regiment, and Company H, Forty-fourth Regiment Iowa Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Stephen A. Toops, late of Company C, Seventh Regiment Missouri Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Thomas Williams, late of Company D, First Regiment Ohio Volunteer Heavy Artillery, \$24 per month in lieu of that he is now receiving.

Edward E. Henry, late of Company A, Twenty-third Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

John M. Spangler, late of Company C, Seventh Regiment Iowa Volunteer Cavalry, \$24 per month in lieu of that he is now receiving.

George W. Gibson, late of Company A, One hundred and seventy-second Regiment Ohio National Guard Infantry, \$24 per month in lieu of that he is now receiving.

Isaac B. Doolittle, late of Company F, Eighth Regiment Illinois Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Jacob Bachman, late of Company I, Forty-second Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Jacob Martin, late of Company D, One hundred and second Regiment Ohio Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Annie E. Shout, widow of John A. Shout, late of Company D, Third Regiment Pennsylvania Volunteer Heavy Artillery, \$12.

Charles Davis, late of Company C and first lieutenant Company K, Eighty-eighth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

John H. Johonnett, late of Company E, Eleventh Regiment New Hampshire Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Edgar A. Kent, late of Company I, Sixtieth Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Allen Rhodes, late of Company D, Veteran Battalion, Tenth Regiment Kansas Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Edmond H. Short, late of Company H, Eightieth Regiment Illinois Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

David N. Heatherly, late of Company H, Eleventh Regiment West Virginia Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Thomas J. Craven, late of Company E, Twenty-ninth Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

David Bartlett, late of Company D, Sixteenth Regiment Missouri Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Elwood D. Harold, late of Company A, Seventh Regiment, and Company A, First Regiment, Tennessee Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Harvey W. Cory, late of Company H, Tenth Regiment Iowa Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Alfred J. Henry, late of Company B, Sixteenth Regiment Illinois Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Emily S. Beale, widow of J. Frank Beale, late second lieutenant Company K, Fifty-first Regiment Pennsylvania Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

William H. H. Morris, late of Company I, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and One hundred and fifty-first Company, Second Battalion, Veteran Reserve Corps, \$24 per month in lieu of that he is now receiving.

Niram N. Buttolph, late of Company G, Second Regiment Connecticut Volunteer Heavy Artillery, \$30 per month in lieu of that he is now receiving.

John Otto, late of Company E, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William Armstrong, late of Company L, Tenth Regiment New York Volunteer Heavy Artillery, \$24 per month in lieu of that he is now receiving.

Frederick Bill, late of Twenty-first Battery, Indiana Volunteer Light Artillery, \$24 per month in lieu of that he is now receiving.

Alexander Phillips, late of Company I, Eleventh Regiment West Virginia Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Frederick Heinemann, late of Company B, Ninth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Abram McCoy, late of Company I, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

James W. Paschal, late second lieutenant Company B, First Battalion, Thirtieth Regiment United States Infantry, \$24 per month in lieu of that he is now receiving.

William H. Hopkirk, late of Company M, Fourth Regiment Iowa Volunteer Cavalry, \$24 per month in lieu of that he is now receiving.

Joseph E. Stanley, late of the Twenty-ninth (unattached) Company, Massachusetts Volunteer Heavy Artillery, \$24 per month in lieu of that he is now receiving.

Harvey J. Shoulters, late of Company H, One hundred and fortieth Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Mary A. Medley, former widow of John Battye, late of Company F, Twenty-second Regiment Connecticut Volunteer Infantry, \$12.

Sarah Cryan, helpless and dependent daughter of Thomas Cryan, late of Company M, Third Regiment Rhode Island Volunteer Heavy Artillery, \$12.

John C. Steele, late of Company C, Thirteenth Regiment Maine Volunteer Infantry, and Company A, First Regiment Maine Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Harlow M. Hall, late of Company E, Fourth Regiment Maine Volunteer Infantry, and Company E, Maine Volunteer Coast Guards, \$30 per month in lieu of that he is now receiving.

William H. Hanscom, late of First and Ninth Batteries, Massachusetts Volunteer Light Artillery, \$30 per month in lieu of that he is now receiving.

Philip Bessor, late first lieutenant Company K, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

John H. Davidson, late of Company F, Twelfth Regiment Illinois Volunteer Cavalry, and Company H, One hundred and forty-fourth Regiment Illinois Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William H. Blanchard, late of Company K, One hundred and forty-sixth Regiment New York Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Robert T. Goodwin, late of Company C, Forty-eighth Regiment Massachusetts Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Wesley A. Cain, late of Company K, Thirty-sixth Regiment Iowa Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Bailey D. Judkins, late of Company A, Fifty-second Regiment Wisconsin Volunteer Infantry, \$20 per month in lieu of that he is now receiving.

William L. Conner, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Thomas S. Bonar, late of Company D, First Regiment West Virginia Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Charles Leonidas Fowler, late of Company C, First Regiment Iowa Volunteer Infantry, \$20 per month in lieu of that he is now receiving.

James R. Sage, late of Company K, Thirteenth Regiment Iowa Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Warren F. Williams, late of Company B, Fourteenth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Samuel Walton, late of Company B, Twenty-eighth Regiment Iowa Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Rufus P. Stokely, late of Company A, Sixty-second Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Susan T. Sailor, widow of William J. Sailor, late of Company B, Rifle Battalion, First Regiment Missouri Volunteer Infantry, \$12.

George S. Greenwood, late of Companies M and C, Seventh Regiment New York Volunteer Heavy Artillery, \$24 per month in lieu of that he is now receiving.

Henry H. Moulton, late of Company K, Fourteenth Regiment New Hampshire Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

James W. Saunders, late captain Company B, Twelfth Regiment New Hampshire Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Eliza C. Noble, widow of Joseph Noble, late lieutenant-colonel Ninth Regiment Maine Volunteer Infantry, \$30 per month in lieu of that she is now receiving.

Francis W. Pratt, late of Company C, Twenty-seventh Regiment New York Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Edward Day, late of Company E, Twenty-sixth Regiment Connecticut Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Peter Schrofer, late of Company F, Ninth Regiment Wisconsin Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Jefferson Lee, late of Company D, Thirty-ninth Regiment Illinois Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William S. Eberman, late of Company E, Eighth Regiment Minnesota Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Louis Schmidt, late of Company G, First Regiment Rhode Island Volunteer Light Artillery, \$24 per month in lieu of that he is now receiving.

Frank N. Blackstone, late of the U. S. S. *Grampus*, *Black Hawk*, and *Great Western*, United States Navy, \$24 per month in lieu of that he is now receiving.

Jason L. Doten, late of Company C, First Regiment Maine Volunteer Light Artillery, \$30 per month in lieu of that he is now receiving.

Mary J. Wentworth, widow of Jonah H. Wentworth, late of Company G, Eighth Regiment Maine Volunteer Infantry, \$16 per month in lieu of that she is now receiving.

Freeman F. Walker, late of Company A, Tenth Regiment, and Company B, Ninth Regiment, Maine Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Edward M. Duff, late of Company E, Twelfth Regiment Ohio Volunteer Infantry, and Company I, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William H. Veasey, late of Company F, Fifth Regiment New Hampshire Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Annie A. Masker, widow of Henry Masker, late of Companies F and H, Fifth Regiment New York Volunteer Heavy Artillery, \$12.

John E. Hill, late captain Company F, One hundred and eleventh Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Claudius B. Miller, late first lieutenant Company C, Thirty-sixth Regiment Iowa Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Samuel Lilly, late of Company G, One hundred and sixty-fifth Regiment Pennsylvania Drafted Militia Infantry, \$30 per month in lieu of that he is now receiving.

William H. Hicks, late of Company C, Thirty-fifth Regiment Massachusetts Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Mortimer A. Wilbur, late of Company G, Eleventh Regiment Connecticut Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Edwin F. Hendricks, late of Company D, Fifteenth Regiment Connecticut Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Charles R. Dodge, late of Company A, First Regiment Wisconsin Volunteer Cavalry, \$40 per month in lieu of that he is now receiving.

William R. Dye, late of Company D, Thirty-third Regiment, and Company K, Twenty-sixth Regiment, Kentucky Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Joseph Hall, late of Company A, Twelfth Regiment Kentucky Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Lemuel Karr, late of Company C, Forty-third Regiment Ohio Volunteer Infantry, \$36 per month in lieu of that he is now receiving.

Enos Gordon, late of Company F, First Regiment New York Volunteer Light Artillery, \$30 per month in lieu of that he is now receiving.

Joseph H. Graham, late of Company G, First Regiment Ohio Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Jane Pieper, widow of John Pieper, late commissary-sergeant Tenth Regiment Maryland Volunteer Infantry, and United States Army, \$20 per month in lieu of that she is now receiving.

George A. Miller, late band leader, Eleventh Regiment Pennsylvania Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Henry S. Webster, late of U. S. S. *Susquehanna*, *Savannah*, and *Vermont*, United States Navy, \$24 per month in lieu of that he is now receiving.

Enoch W. F. Felt, late of Company F, Sixteenth Regiment Wisconsin Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Asahel R. Baker, late of Company A, Forty-fourth Regiment Wisconsin Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Henry L. Stafford, late of Company F, Sixteenth Regiment Indiana Volunteer Infantry, and Company G, Thirteenth Regiment Indiana Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Isaac Crist, late of Company I, Forty-third Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

Barnard Hassing, late of Companies K and B, Twelfth Regiment Illinois Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Catherine T. Hutchison, widow of John Q. Hutchison, late captain Company C, Seventy-fourth Regiment Ohio Volunteer Infantry, \$20 per month in lieu of that she is now receiving.

William A. Miles, late of Company C, Tenth Regiment Minnesota Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

William Fernsworth, late of Company I, Twelfth Regiment West Virginia Volunteer Infantry, \$24 per month in lieu of that he is now receiving.

Hugh Marshall, late of Company B, Second Regiment Colorado Volunteer Infantry, and Company B, Second Regiment Colorado Volunteer Cavalry, \$24 per month in lieu of that he is now receiving.

Thomas Brownlee, late of Company H, Seventeenth Regiment Indiana Volunteer Infantry, \$30 per month in lieu of that he is now receiving.

William H. Baugher, late of Company I, Ninth Regiment Pennsylvania Volunteer Cavalry, \$30 per month in lieu of that he is now receiving.

Mr. McCUMBER. I move to amend the bill by striking out lines 23 and 24, on page 8, and lines 1 and 2, on page 9, in the following words:

The name of William H. Hanscom, late of First and Ninth Batteries, Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The beneficiary mentioned has died since the bill was reported.

The amendment was agreed to.

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

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

MISSOURI RIVER BRIDGE AT YANKTON, S. DAK.

The bill (S. 6229) to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the

Yankton, Norfolk and Southern Railway Company, was considered as in Committee of the Whole.

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

DONATION OF CANNON TO GEORGIA.

Mr. CLAY. This morning in my absence a joint resolution was reported from the Committee on Military Affairs. If I had been present I would have asked for its immediate consideration when it was reported. There will be no objection to it. It is the joint resolution (H. J. Res. 111) to donate a brass cannon to the State of Georgia. I ask for its immediate consideration.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Georgia?

Mr. WARREN. Mr. President, I do not object to present consideration of the joint resolution nor to the resolution itself, but I think I ought to say that a law passed a year ago closed the door to the general practice of donating obsolete brass or bronze cannon. This, however, is an entirely different matter. It is a trophy cannon that has already been devoted to the use, as I understand it, to which this will be devoted, or nearly the same. I make this explanation merely because the Military Affairs Committee has been compelled to refrain from the indorsement of many bills that have been introduced, because of the law which prevents the donation of cannon in other cases.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

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

COPPER RIVER BRIDGE, ALASKA.

The bill (S. 6286) to authorize the Copper River and Northwestern Railway Company to construct a bridge across the Copper River, in the district of Alaska, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, on page 1, line 5, after the word "Nevada," to strike out the words "its successors and assigns, be, and are" and to insert the word "is;" in line 9, after the word "River," to insert "at a point suitable to the interests of navigation;" and on page 2, line 3, after the word "Railway," to strike out the words "to be approved by the Secretary of War," so as to make the bill read:

Be it enacted, etc., That the Copper River and Northwestern Railway Company, a corporation organized and existing under the laws of the State of Nevada, is hereby authorized to construct, operate, and maintain a bridge and its approaches thereto across the Copper River, in the district of Alaska, below the mouth of the Kotsina River, at a point suitable to the interests of navigation, about 1½ miles north of the mouth of the Chitina River, on said company's line of railroad designated and generally known as the Chitina Branch of the Copper River and Northwestern Railway, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906; and are further authorized to construct, operate, and maintain a temporary bridge at or near the same point, to be removed upon the completion of the bridge first above referred to.

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

The amendments were agreed to.

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

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

ADDITIONAL AIDS TO NAVIGATION.

The bill (S. 5007) to authorize additional aids to navigation in the Light-House Establishment, and for other purposes, was considered as in Committee of the Whole. It proposes to appropriate for a light and fog signal at Kellett Bluff, Washington, at a cost not to exceed \$30,000; for a light-vessel at Partridge Point, Washington, at a cost not to exceed \$60,000; for a light-house tender for Alaska, at a cost not to exceed \$225,000; and for aids to navigation on Puget Sound, Washington, at a cost not to exceed \$250,000.

The bill was reported from the Committee on Commerce with an amendment, on page 2, line 7, before the word "dollars," to strike out "two hundred and fifty thousand" and insert "forty-one thousand six hundred," so as to read:

Aids to navigation on Puget Sound, Washington, at a cost not to exceed \$41,600.

The amendment was agreed to.

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

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

STEAM LAUNCHES IN PUGET SOUND.

The bill (S. 5268) providing for the construction of two steam launches for the United States Revenue-Cutter Service for duty in the waters of Puget Sound was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to have constructed two steam launches for the United States Revenue-Cutter Service for duty in the waters of Puget Sound to replace the launches *Guard* and *Scout*, at a cost not to exceed \$70,000; and appropriates \$70,000 for that purpose.

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

CHICKAMAUGA NATIONAL MILITARY PARK.

The bill (S. 5851) to amend an act approved August 10, 1890, entitled "An act to establish a national military park at the battlefield of Chickamauga," was considered as in Committee of the Whole. It proposes to amend section 5 of the act approved August 10, 1890, so as to read:

SEC. 5. That the affairs of the Chickamauga and Chattanooga National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have actively participated in the battle of Chickamauga, or in one of the battles about Chattanooga; one of whom, upon designation by the Secretary of War, shall act as chairman and another as secretary of the commission. The said commissioners shall have an office in Chattanooga, Tenn., and shall receive compensation at the rate of \$300 per month.

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

THOMPSON B. POLLARD.

The bill (S. 5075) granting an honorable discharge to Thompson B. Pollard was considered as in Committee of the Whole. It provides that Thompson B. Pollard shall hereafter be held to have been honorably discharged as a second lieutenant of Battery D, First New Jersey Light Artillery Volunteers, on February 19, 1864, and that an honorable discharge be issued to him by the Secretary of War in accordance with this act. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

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

PHILIPPINE SCOUTS.

The bill (S. 1027) for the reimbursement of certain sums of money to certain enlisted men of the Philippine Scouts was considered as in Committee of the Whole. It proposes to appropriate \$3,000, to enable the enlisted men of the Philippine Scouts to be reimbursed for certain sums of money intrusted by them to Lieut. Andrew Shea, Philippine Scouts, for safe-keeping and for transmission to their families in the Philippine Islands, which sums were embezzled by Shea and fraudulently converted to his own use.

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

JUAN TORROELLA Y ROONEY.

The joint resolution (S. J. Res. 74) authorizing the Secretary of War to receive for instruction at the United States Military Academy Mr. Juan Torroella y Rooney, of Cuba, was considered as in Committee of the Whole.

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

BILLS PASSED OVER.

The bill (S. 5787) authorizing the Secretary of the Interior to make allotment to Frank H. Pequette was announced as next in order.

Mr. BROWN. I ask that this bill may go over, and also the one following it on the calendar, the bill (S. 5788) authorizing the Secretary of the Interior to make allotments within national forests.

The VICE-PRESIDENT. The bills will go over.

G. R. CASWELL LUMBER COMPANY, OF VERMONT.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 371), which was read and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report by the Secretary of State relative to the claim of the G. R. Caswell Lumber Company, an

American concern of Vermont, and Mr. W. K. Baldwin, a resident of Quebec, for losses sustained by reason of a fire which started in June, 1907, for legitimate purposes by a surveying party in the employ of the International Boundary Commission while engaged in placing monuments along the boundary between the State of Vermont and the Province of Quebec, got beyond control, and burned over an area of 145 acres in Vermont and Quebec.

It will be seen from the report that the claim of the Caswell Lumber Company amounts to \$312.30 and that of Mr. Baldwin to \$125, the amount of both claims being \$437.30; that it was agreed between the Canadian government and the Department of State to recommend that the owners of the burned-over district be compensated as a matter of equity, the total amount to be borne equally by the United States and Canada, and that the government of Canada has already paid its one-half, out of which Mr. Baldwin's claim of \$125 has been satisfied.

In accordance with the recommendation of the Secretary of State, the Congress is requested, as a matter of justice and equity, to appropriate the sum of \$218.65, to be placed at the disposal of the Secretary of State in order that it may be added to the balance of \$93.65 paid by the government of Canada and a full settlement of the claim of the Caswell Lumber Company reached.

WM. H. TAFT.

THE WHITE HOUSE, February 18, 1910.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

H. R. 13864. An act to extend Fourth street SE;
H. R. 13893. An act to authorize the extension of Forty-first street NW.;

H. R. 15676. An act to provide for the extension of the underground system of the City and Suburban Railway Company on North Capitol street, and for other purposes;

H. R. 16330. An act to authorize the surveyor of the District of Columbia to adopt the system of designating land in the District of Columbia now in force in the office of the assessor of said District;

H. R. 16331. An act to acquire land in the vicinity of the Connecticut Avenue Bridge for the extension of certain streets;

H. R. 16916. An act to authorize certain changes in the permanent system of highways plan, District of Columbia;

H. R. 18156. An act directing the recorder of deeds of the District of Columbia to keep an index to recorded instruments by lots or tracts;

H. R. 19038. An act to authorize the opening of a road along the Anacostia River, in the District of Columbia;

H. R. 19039. An act authorizing the extension of Massachusetts avenue NW. from Wisconsin avenue to the District line;

H. R. 19785. An act to authorize the extension of Columbia road NW., in the District of Columbia; and

H. R. 19787. An act to change the name of the west side of Fifteenth street NW., between I and K streets, to McPherson place.

ARTICLES OF WAR.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13410) to modify the One hundred and twenty-second and One hundred and twenty-fourth Articles of War, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. WARREN, Mr. BULKELEY, and Mr. OVERMAN the conferees on the part of the Senate.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 2 o'clock and 7 minutes p. m.) the Senate adjourned until Monday, February 21, 1910, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 18, 1910.

UNITED STATES ATTORNEYS.

Harry J. Bone, of Kansas, to be United States attorney for the district of Kansas. (A reappointment, his term having expired December 17, 1909.)

Barnes Gillespie, of Virginia, to be United States attorney for the western district of Virginia, vice Thomas Lee Moore, whose term has expired.

UNITED STATES MARSHAL.

James F. Shea, of North Dakota, to be United States marshal for the district of North Dakota. (A reappointment, his term having expired December 17, 1909.)

RECEIVERS OF PUBLIC MONEYS.

Lewis J. Pettijohn, of Kansas, to be receiver of public moneys at Dodge City, Kans., his term expiring March 23, 1910. (Reappointment.)

Cyrus E. Carpenter, of Cambria, Wyo., to be receiver of public moneys at Sundance, Wyo., vice Levi R. Davis, term expired.

REGISTERS OF THE LAND OFFICE.

Henry F. Millikan, of Kansas, to be register of the land office at Dodge City, Kans., his term expiring January 29, 1910. (Reappointment.)

Joseph Lytle, of Sundance, Wyo., to be register of the land office at Sundance, Wyo., vice Alpha E. Hoyt, term expired.

COLLECTOR OF CUSTOMS.

John A. Merritt, of New York, to be collector of customs for the district of Niagara, in the State of New York. (Reappointment.)

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Maj. William S. Peirce, Ordnance Department, to be lieutenant-colonel from February 12, 1910, vice Lieut. Col. Ormond M. Lissak, retired from active service on that date.

QUARTERMASTER'S DEPARTMENT.

Lieut. Col. William W. Robinson, jr., deputy quartermaster general, to be assistant quartermaster-general, with the rank of colonel, from February 17, 1910, vice Col. John W. Pullman, retired from active service on that date.

Maj. Thomas Cruse, quartermaster, to be deputy quartermaster-general, with the rank of lieutenant-colonel, from February 17, 1910, vice Lieut. Col. William W. Robinson, jr., promoted.

Capt. Abraham S. Bickham, quartermaster, to be quartermaster, with the rank of major, from February 17, 1910, vice Maj. Thomas Cruse, promoted.

COAST ARTILLERY CORPS.

Second Lieut. Peter H. Ottosen, Coast Artillery Corps, to be first lieutenant from February 16, 1910, vice First Lieut. Hunter B. Porter, retired from active service on that date.

APPOINTMENT IN THE MARINE CORPS.

William B. Sullivan, a citizen of Indiana, to be second lieutenant in the United States Marine Corps from the 15th day of February, 1910, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

ARKANSAS.

Benjamin F. Campbell to be postmaster at Fayetteville, Ark., in place of Benjamin F. Campbell. Incumbent's commission expires March 23, 1910.

John R. Greenwood to be postmaster at Stamps, Ark., in place of John R. Greenwood. Incumbent's commission expires March 2, 1910.

William L. Jefferies to be postmaster at Clarendon, Ark., in place of William L. Jefferies. Incumbent's commission expires March 7, 1910.

CALIFORNIA.

S. B. Bagnall to be postmaster at Oxnard, Cal., in place of Henry W. Witman. Incumbent's commission expires February 27, 1910.

Marcus J. Isaacs to be postmaster at Etna Mills, Cal., in place of Marcus J. Isaacs. Incumbent's commission expired January 31, 1910.

Frank L. Powell to be postmaster at Lemoore, Cal., in place of Frank L. Powell. Incumbent's commission expires February 19, 1910.

FLORIDA.

Cyrus Lowrey to be postmaster at Clearwater, Fla., in place of Cyrus Lowrey. Incumbent's commission expires February 28, 1910.

GEORGIA.

Julia Fleming to be postmaster at Sparta, Ga., in place of Julia Fleming. Incumbent's commission expired February 5, 1910.

HAWAII.

Joseph G. Pratt to be postmaster at Honolulu, Hawaii, in place of Joseph G. Pratt. Incumbent's commission expired February 23, 1909.

INDIANA.

Harry C. Martin to be postmaster at Attica, Ind., in place of Harry C. Martin. Incumbent's commission expired February 5, 1910.

Charles Sihler to be postmaster at Evansville, Ind., in place of Charles G. Covert, resigned.

IOWA.

William Ely Weldon to be postmaster at Iowa Falls, Iowa, in place of Gerald L. Whinery. Incumbent's commission expired February 7, 1910.

KANSAS.

Alexander Barron to be postmaster at Kirwin, Kans., in place of Alexander Barron. Incumbent's commission expires March 14, 1910.

Harvey G. Lawrence to be postmaster at Thayer, Kans., in place of Harvey G. Lawrence. Incumbent's commission expires March 23, 1910.

John M. Watson to be postmaster at Frankfort, Kans., in place of John M. Watson. Incumbent's commission expired February 7, 1910.

MASSACHUSETTS.

William F. Darby to be postmaster at North Adams, Mass., in place of William F. Darby. Incumbent's commission expires March 7, 1910.

MICHIGAN.

Michael H. Kern to be postmaster at Menominee, Mich., in place of Michael H. Kern. Incumbent's commission expires February 22, 1910.

Josiah C. Richardson to be postmaster at Jackson, Mich., in place of Josiah C. Richardson. Incumbent's commission expires March 23, 1910.

MINNESOTA.

C. O. Lund to be postmaster at Wabasha, Minn., in place of Ziba C. Goss. Incumbent's commission expires March 23, 1910.

MISSISSIPPI.

W. J. Price to be postmaster at Meridian, Miss., in place of Andrew J. Hyde, resigned.

MISSOURI.

Levi Alexander to be postmaster at Kahoka, Mo., in place of Levi Alexander. Incumbent's commission expired January 18, 1910.

J. T. Burden to be postmaster at Sarcoxie, Mo., in place of Frank S. Jones. Incumbent's commission expires February 27, 1910.

Clarence Conger to be postmaster at Unionville, Mo., in place of Clarence Conger. Incumbent's commission expired February 13, 1910.

Laurence O. Weakley to be postmaster at St. Joseph, Mo., in place of Arthur W. Brewster. Incumbent's commission expired January 29, 1910.

NEBRASKA.

Albert H. Hollingsworth to be postmaster at Beatrice, Nebr., in place of Albert H. Hollingsworth. Incumbent's commission expires February 27, 1910.

Lewis M. Short to be postmaster at Ainsworth, Nebr., in place of Lewis M. Short. Incumbent's commission expired February 5, 1910.

NEW HAMPSHIRE.

Luther M. Morrill to be postmaster at Tilton, N. H., in place of Luther H. Morrill. Incumbent's commission expires March 23, 1910.

Walter H. Stickney to be postmaster at Epping, N. H., in place of Walter H. Stickney. Incumbent's commission expires March 21, 1910.

NEW JERSEY.

James E. Baldwin to be postmaster at Newton, N. J., in place of Richard F. Goodman. Incumbent's commission expired February 5, 1910.

Amasa W. Bedell to be postmaster at Sussex, N. J., in place of Brice P. Walling, deceased.

George H. Tice to be postmaster at Perth Amboy, N. J., in place of George H. Tice. Incumbent's commission expires April 8, 1910.

NEW MEXICO.

Robert W. Hopkins to be postmaster at Albuquerque, N. Mex., in place of Robert W. Hopkins. Incumbent's commission expires March 7, 1910.

NEW YORK.

Michael Gleason to be postmaster at Carthage, N. Y., in place of Michael Gleason. Incumbent's commission expires February 19, 1910.

Joseph Ogle to be postmaster at Greenport, N. Y., in place of Joseph Ogle. Incumbent's commission expires March 14, 1910.

Fred E. Payne to be postmaster at Clinton, N. Y., in place of Fred E. Payne. Incumbent's commission expires March 23, 1910.

John J. Roehrig to be postmaster at Rosebank, N. Y., in place of John J. Roehrig. Incumbent's commission expires March 12, 1910.

NORTH CAROLINA.

Brownlow Jackson to be postmaster at Hendersonville, N. C., in place of Brownlow Jackson. Incumbent's commission expires March 14, 1910.

Felix M. McKay to be postmaster at Duke, N. C. Office became presidential January 1, 1910.

OHIO.

Orlando P. Mason to be postmaster at Bellaire, Ohio, in place of Orlando P. Mason. Incumbent's commission expires March 26, 1910.

PENNSYLVANIA.

Harley J. Barns to be postmaster at Albion, Pa., in place of Harley J. Barns. Incumbent's commission expires March 29, 1910.

Frank R. Cyphers to be postmaster at East Pittsburg, Pa., in place of Frank R. Cyphers. Incumbent's commission expires March 23, 1910.

Fred G. Fryburg to be postmaster at Hooversville, Pa. Office became presidential January 1, 1910.

SOUTH DAKOTA.

George A. Fehlman to be postmaster at Frankfort, S. Dak. Office became presidential January 1, 1910.

J. Melroy Staley to be postmaster at Clear Lake, S. Dak., in place of J. Melroy Staley. Incumbent's commission expires March 21, 1910.

VERMONT.

Mark H. Moody to be postmaster at Waterbury, Vt., in place of Mark H. Moody. Incumbent's commission expires March 7, 1910.

VIRGINIA.

Bentley Kern to be postmaster at Winchester, Va., in place of Bentley Kern. Incumbent's commission expired January 30, 1910.

WISCONSIN.

Matthew J. Connors to be postmaster at Hurley, Wis., in place of Matthew J. Connors. Incumbent's commission expires March 21, 1910.

William J. Guetzloe to be postmaster at Kiel, Wis., in place of William J. Guetzloe. Incumbent's commission expires March 23, 1910.

Peter W. MacKenzie to be postmaster at Poynette, Wis., in place of Peter W. MacKenzie. Incumbent's commission expires March 2, 1910.

WYOMING.

F. E. Rounds to be postmaster at Sundance, Wyo. Office became presidential January 1, 1910.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 18, 1910.

SECOND SECRETARY OF EMBASSY.

Fred Morris Dearing to be second secretary of the embassy at London, England.

SECRETARIES OF LEGATION.

Balkam Schoyer to be secretary of the legation at Berne, Switzerland.

Arthur Hugh Frazier to be secretary of the legation at Bogota, Colombia.

Jacob Sleeper to be secretary of the legation at Habana, Cuba.

UNITED STATES MARSHAL.

James F. Shea to be United States marshal for the district of North Dakota.

POSTMASTERS.

CALIFORNIA.

John C. Ingalls, at Healdsburg, Cal.

FLORIDA.

Daniel T. Gerow, at Jacksonville, Fla.

GEORGIA.

Charles I. Robinson, at Eatonton, Ga.

IDAHO.

John McMillan, at Boise, Idaho.

ILLINOIS.

James W. Breen, at Manteno, Ill.
William F. Hodson, at Delavan, Ill.
Henry W. Lynch, at Peoria, Ill.
William A. Mussett, at Grayville, Ill.
Jacob G. Reul, at Mendota, Ill.

INDIANA.

Edward A. Spray, at Frankfort, Ind.

IOWA.

George C. True, at Oskaloosa, Iowa.

KANSAS.

Harry Ross, at Bronson, Kans.
Edwin R. Smith, at Mound City, Kans.
Daniel Stough, at Sedan, Kans.

KENTUCKY.

James T. Stephens, at Hickman, Ky.

OREGON.

Burtis W. Johnson at Corvallis, Oreg.

TENNESSEE.

John W. Jackson, at Columbia, Tenn.

TEXAS.

John D. Abney, at Grand View, Tex.
Henry A. Appel, at Mercedes, Tex.
Thomas L. Ball, at Decatur, Tex.
Leonidas M. Barkley, at Fort Worth, Tex.
Frank C. Blaine, at Del Rio, Tex.
Joseph A. Bowermon, at Mansfield, Tex.
William L. Boyd, at Kemp, Tex.
Joshua C. Brown, at Madisonville, Tex.
Sallie E. Brooks, at Bastrop, Tex.
Vittoria Evon Brunow, at Pampa, Tex.
H. A. Burns, at Burnet, Tex.
Robert E. Burns, at Tenaha, Tex.
Ferman Carpenter, at Franklin, Tex.
A. A. Cooper, at Olney, Tex.
Joel D. Cranford, at Mineral Wells, Tex.
William E. Dwyer, at Brenham, Tex.
George A. Gray, at Aspermont, Tex.
Effie L. Houghton, at Memphis, Tex.
Henry C. Ingram, at Eddy, Tex.
James H. Loyd, at Alba, Tex.
Berry McGee, at Italy, Tex.
Frank W. Reast, at Whitesboro, Tex.

UTAH.

James P. Driscoll, at Eureka, Utah.
Niels C. Poulsen, at Richfield, Utah.

WEST VIRGINIA.

Arthur W. Windom, at Hendricks, W. Va.

WITHDRAWAL.

Executive nomination withdrawn from the Senate February 18, 1910.

UNITED STATES ATTORNEY.

William A. Northcott, of Illinois, to be United States attorney for the southern district of Illinois. Said nomination was sent to the Senate on December 20, 1909.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 18, 1910.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

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

JOSEPH J. SINNOTT.

Mr. BARTLETT of Georgia. Mr. Speaker, I call up the resolution (H. Res. 401) which is at the Clerk's desk, being a privileged report (No. 493) from the Committee on Accounts.

The SPEAKER. The gentleman from Georgia calls up a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 401, in lieu of House resolution 27.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, compensation at the rate of

\$1,800 per annum to Joseph J. Sinnott for services as special messenger and assistant pair clerk to the minority, said office and compensation to be in lieu of one special messenger now authorized at \$1,500 per annum; and to said Sinnott there shall be paid out of the contingent fund an amount equal to the rate of \$300 per annum, from and including March 17, 1909, until the date of the adoption of this resolution.

Mr. MANN. Mr. Speaker, as I recall, this is practically the same thing we did last year.

Mr. BARTLETT of Georgia. That amendment was offered by the chairman of the Democratic caucus on the 15th of March to carry out what was asked to be done by the Democratic caucus relative to this assistant pair clerk, and at the suggestion of Mr. PAYNE, the leader of the majority, it has taken this course. The resolution was introduced and referred to the Committee on Accounts, and this is the report from that committee upon the resolution.

Mr. MANN. Has this employee ever received this increase of salary before?

Mr. BARTLETT of Georgia. No.

Mr. MANN. This is an increase?

Mr. BARTLETT of Georgia. Yes. He performs the services of pair clerk, and is one of the most efficient men on our side, or on either side.

Mr. MANN. I recall the case now.

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

MESSANGER AND JANITOR TO THE COMMITTEE ON DISPOSITION OF PAPERS IN THE EXECUTIVE DEPARTMENTS.

Mr. CURRIER. Mr. Speaker, I offer the following privileged resolution (H. Res. 399) from the Committee on Accounts. (Report No. 491.)

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 399, in lieu of House resolution 221.

Resolved, That there shall be paid, out of the contingent fund of the House, compensation at the rate of \$60 per month for the services of a messenger, who shall also act as janitor, to the Committee on Disposition of Papers in the Executive Departments during the regular sessions of the Sixty-first Congress, to commence from the time he entered upon the discharge of his duties, which shall be ascertained and evidenced by the certificate of the chairman of said committee.

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

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS.

Mr. CURRIER. Mr. Speaker, I offer the following privileged resolution (H. Res. 400) from the Committee on Accounts. (Report No. 492.)

The SPEAKER. The gentleman from New Hampshire offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 400, in lieu of House resolution 328.

Resolved, That there shall be paid, out of the contingent fund of the House, compensation at the rate of \$6 per day for the services of an assistant clerk to the Committee on Enrolled Bills during the present session, payment to commence from the time such clerk entered upon the discharge of his duties, which shall be ascertained and evidenced by the certificate of the chairman of said committee.

Mr. CLARK of Missouri. Mr. Speaker, is this an extraordinary office that is being created?

Mr. CURRIER. This is a position that we give at about this time in the session every year. The man is now at work.

Mr. CLARK of Missouri. It is needed for the public good, is it?

Mr. CURRIER. So the chairman of the Committee on Enrolled Bills states.

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

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

HARRY B. SMITH.

Mr. CURRIER. Mr. Speaker, I also offer the following resolution (H. Res. 382). (Report No. 490.)

The SPEAKER. The gentleman from New Hampshire offers a resolution from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

House resolution 382.

Resolved, That the Clerk of the House of Representatives is hereby authorized and directed to pay, out of the contingent fund of the House, to Harry B. Smith, the sum of \$17.86, being the amount due him as clerk-hire allowance for services rendered the late Hon. William C. Lovering, a Representative from Massachusetts, from February 1 to February 4, 1910, inclusive.

Mr. GARDNER of Massachusetts. Will the gentleman yield?

Mr. CURRIER. I yield to the gentleman.

Mr. GARDNER of Massachusetts. Mr. Speaker, I merely wish to call the attention of the House to something that I think is wrong in its practice. I introduced this resolution. It has been reported just in the form that I introduced it. It pays the clerk of the late Mr. Lovering up to the day of Mr.