By Mr. KEIFER: Petition of Schleger & Barren, of Circleville, and Jess W. Smith and seven others, of Washington, Ohio, against a local rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. KOPP: Petition of citizens of the third Wisconsin congressional district, against the local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. LEE: Paper to accompany bill for relief of John W. Chastain; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition of Iron Molders' Union No. 226, of Brainerd, Minn., for repeal of the tax on oleomargarine; to the Committee on Agriculture.

Also, petition of McKinley & Co., of Park Rapids, Minn., against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. McCREDIE: Petition of Tacoma Chamber of Commerce, for continuance of investigations by the Government of by-products obtained from distillation of waste wood; to the Committee on Appropriations.

By Mr. McKINNEY: Petition of E. E. Voorhees, of Blandinsville, Ill., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. McMORRAN: Petition of Ellison & Stall, of Kinde, and Charles I. Falk, of Deckerville, Mich., against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of Esther M. Shenick; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Stella, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MASSEY: Paper to accompany bill for relief of W. G. McKinzie; to the Committee on Military Affairs.

By Mr. PADGETT: Paper to accompany bill for relief of William B. Gordon; to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of citizens of Kansas, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Larrabee Post, No. 164, Grand Army of the Republic, Department of Kansas, for House bill 18899, volunteer officers' retired list; to the Committee on Military Affairs.

By Mr. HENRY of Texas: Petition against rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SHARP: Petition of citizens of the fourteenth congressional district of Ohio, for rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. SHEFFIELD: Petitions of Thomas B. Connolly and 15 others, and William J. Filton and 11 others, of Newport, R. I.; Capt. W. M. Ball and 17 others, and G. S. Dunn, jr., and 8 others, of Block Island, R. I.; W. E. Hasen and 8 others, Capt. W. P. Bindlop and 30 others, and George H. Cottrell and 13 others, favoring Senate bill 5677, to increase efficiency of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMMONS: Petition of 11 residents of Youngstown, N. Y., favoring bill to increase efficiency of the Life-Saving Service (S. 5677); to the Committee on Interstate and Foreign Commerce.

Also, petition of 23 residents of Orleans, Niagara, and Monroe Counties, against Senate bill 404, on Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SLAYDEN: Petition of citizens of the fourteenth Texas congressional district, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. SPARKMAN: Petition of Board of Trade of Tampa, Fla., favoring House bill 22075, compensation of judges; to the Committee on the Judiciary.

By Mr. STURGISS: Petition of Rena Post, No. 7, Grand Army of the Republic, of Grafton, W. Va., against volunteer officers' retired list; to the Committee on Military Affairs.

Also, petition of Walter E. Dittmeyer, of Harpers Ferry, W. Va., against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, paper to accompany bill for relief of West Virginia State troops; to the Committee on Invalid Pensions.

By Mr. WEBB: Paper to accompany bill for the relief of Robert H. Massey (previously referred to Committee on Invalid Pensions); to the Committee on Military Affairs.

By Mr. WOOD of New Jersey: Communications of Irving D. Banks, J. A. Lambert, W. W. Anderson, Wilford R. Lawshe, of Trenton, N. J.; H. C. Munger, D. M. Van Vliet, and A. Tepel, of New York City; and C. W. McCutchen, of North Plainfield, N. J., protesting against the passage of H. R. 3075, known as the Tou Velle bill; to the Committee on the Post Office and Post Roads.

SENATE.

THURSDAY, *January 12, 1911.*

The chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, who art the confidence of all flesh, we take refuge in Thee who hast been our dwelling place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. But as for man Thou hast made his days as a handbreadth and all our goodliness is as the flower of the field. And now, O Lord, where is our help but in Thee? Thou knowest our frame, seeing it is Thou who hast made us and not we ourselves. Therefore will we not fear. Though Thou dost cause us to walk through the valley of the shadow of death we will fear no evil. The rod of Thy righteousness and the staff of Thy faithfulness, they comfort us.

Be with us now, our Father, in our sad bereavement. Comfort Thou us as Thou alone canst comfort Thy children, and consecrate to us the experiences through which Thou hast called us to pass.

And now may God, our Father, who hast loved us and hast given us eternal comfort and good hope through grace, comfort our hearts and establish them before Him, now and for evermore. Amen.

THE JOURNAL.

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

DEATH OF SENATOR CHARLES J. HUGHES, JR.

Mr. GUGGENHEIM. Mr. President, it becomes my painful duty to announce to the Senate the death of my colleague, the Hon. CHARLES J. HUGHES, Jr.

Enfeebled by the arduous duties incident upon the last two sessions of Congress, Senator HUGHES returned to Colorado in the summer confident of regaining his strength and health, and later hoped to benefit by a voyage made on the Pacific. He returned to his home elated in spirit, apparently improved in health, and looked forward with pleasant anticipation to resuming his place in the Senate this winter. The improvement was transitory only, however, and after a manful fight he passed away at his home in Denver yesterday morning.

At some future time I shall ask that a day be appointed when the Senate may pay fitting tribute to his memory.

Before offering the following resolutions and asking for their present consideration, I wish to add that the family of the late Senator HUGHES were consulted yesterday by wire in reference to having a committee from the Senate go to Denver to attend the funeral ceremonies. They replied that the funeral will take place to-morrow afternoon, and the time is so short that they would not ask that a committee be sent to Denver.

The VICE PRESIDENT. The Senator from Colorado offers the following resolutions, which will be read.

The Secretary read the resolutions (S. Res. 318), and they were considered by unanimous consent and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, Jr., late a Senator from the State of Colorado.

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

Mr. GUGGENHEIM. Mr. President, as a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 13, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 12, 1911.*

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, source of all good, we thank Thee from the deeps of our hearts for those sterling godlike qualities which Thou hast implanted in the constitution of man, which lifts him above the brute creation and makes him a child of the living God. Grant, O most merciful Father, that we may grow and cultivate these virtues in the common duties of daily life, so that when great crises come we shall be able to quit ourselves like men and, like the stars of the firmament, reflect Thy glory in all our acts.

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Reminded once more by the death of one of our statesmen, cut off in the heyday of his usefulness, of the uncertainty of this existence, grant that we may so fulfill our duties that when the summons comes we shall be ready. Comfort, we beseech Thee, his colleagues and friends by the eternal promises, and let the everlasting arms be about the bereaved wife and children, and comfort them with the thought that though he may not come to them they shall surely go to him and dwell in eternity with him forever, in Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read.

CORRECTION.

Mr. ADAMSON. Mr. Speaker, I desire to correct the RECORD. On page 790 my name appears among other distinguished gentlemen as not voting, and presumably absent. I was here and voted, and should be recorded as voting "aye."

The SPEAKER. Without objection, both Journal and RECORD will be corrected.

There was no objection.

The Journal was approved.

ARMY APPROPRIATION BILL.

Mr. HULL of Iowa, chairman of the Committee on Military Affairs, by direction of that committee, reported the bill (H. R. 31237; Rept. No. 1886) making appropriation for the support of the Army for the fiscal year ending June 30, 1912, which, with accompanying papers, was read twice and referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. SULZER reserved all points of order.

MESSAGE FROM THE SENATE.

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

S. 10099. 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;

S. 9552. An act to authorize the construction of a bridge across St. John River, Me.;

S. 9529. An act for the relief of Alexander Wilkie;

S. 7102. An act to amend section 819 of the Revised Statutes of the United States relating to peremptory challenges of jurors;

S. 6460. An act for the relief of Mrs. Libbie Arnold;

S. 3494. An act for the relief of Edward Forbes Greene;

S. 635. An act for the relief of J. Blair Schoenfelt, former United States Indian agent, Union Agency, Okla.;

S. 8592. An act to authorize the construction of a bridge across the Missouri River between Lyman County and Brule County, in the State of South Dakota;

S. 8457. An act to restore to the public domain certain lands withdrawn for reservoir purposes in Millard County, Utah;

S. 7765. An act providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel; and

S. 7574. An act for the relief of John M. Bonine.

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

H. R. 28435. 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. 28434. 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; and

H. R. 18540. An act for the relief of John H. Willis.

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

H. R. 18960. An act for the relief of Emanuel Sassaman; and

H. R. 22829. An act for the relief of George W. Nixon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 10099. 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; to the Committee on Invalid Pensions.

S. 9529. An act for the relief of Alexander Wilkie; to the Committee on Military Affairs.

S. 9552. An act to authorize the construction of a bridge across St. John River, Me.; to the Committee on Interstate and Foreign Commerce.

S. 3494. An act for the relief of Edward Forbes Greene; to the Committee on Naval Affairs.

S. 6460. An act for the relief of Mrs. Libbie Arnold; to the Committee on Claims.

S. 7102. An act to amend section 819 of the Revised Statutes of the United States relating to peremptory challenges of jurors; to the Committee on the Judiciary.

S. 635. An act for the relief of J. Blair Schoenfelt, former United States Indian agent, Union Agency, Okla.; to the Committee on Claims.

S. 7574. An act for the relief of John M. Bonine; to the Committee on Military Affairs.

S. 7765. An act providing for the retirement of petty officers and enlisted men of the United States Navy or Marine Corps, and for the efficiency of the enlisted personnel; to the Committee on Naval Affairs.

S. 8457. An act to restore to the public domain certain lands withdrawn for reservoir purposes in Millard County, Utah; to the Committee on the Public Lands.

S. 8592. An act to authorize the construction of a bridge across the Missouri River between Lyman County and Brule County, in the State of South Dakota; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 16990. An act for the relief of George J. Diller;

H. R. 6075. An act for the relief of Amos Hershey;

H. R. 971. An act for the relief of Joseph R. Reichardt;

H. R. 26583. An act to authorize the city of Drayton, N. Dak., to construct a bridge across the Red River of the North; and

H. R. 20132. An act for the relief of Emil Haberer.

LEGISLATIVE APPROPRIATION BILL.

Mr. GILLETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill (H. R. 29360).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair.

The Clerk, proceeding with the reading of the bill, read as follows:

Clerk hire, service at large: For the compensation, not exceeding $1,400 a year to each person, of clerks to boards of steamboat inspectors, to be appointed by the Secretary of Commerce and Labor in accordance with the provisions of the act of April 9, 1906, $83,000.

Mr. CALDER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

In line 21, page 159, strike out the word "four" and insert the word "six."

Mr. MANN. I reserve a point of order on that amendment.

Mr. CALDER. Mr. Chairman, the statute provides that the salaries of these clerks provided for in this section shall not exceed $1,600.

Mr. GOULDEN. Was not the $1,600 in last year's appropriation bill and the year before?

Mr. CALDER. Yes.

Mr. GOULDEN. Why not ask why the cut was made?

Mr. CALDER. I do not care to discuss it; I am quite sure it is in order. The statute provides that the pay shall not exceed $1,600.

Mr. GOULDEN. That was provided for in last year's appropriation bill, and therefore it is not a change.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. MANN. I would like to inquire what salary is now being paid.

Mr. CALDER. The law provides that the salary shall not exceed $1,600.

Mr. MANN. Yes; but what are the salaries now being paid?

Mr. CALDER. They range from $1,000 to $1,500. None of the men are receiving $1,600. Some receive $1,500 in the larger cities.

Mr. MANN. And the amendment proposes to increase the salary from a range between $1,000 and $1,500 up to $1,600 for all?

Mr. CALDER. Well, I am prepared to modify the amendment so that it shall not exceed $1,600, the sum that the statute provides. Mr. Chairman, I move to modify that amendment so it shall read "For compensation not exceeding $1,600."

Mr. MANN. That is the gentleman's amendment; that is the way the amendment is, so it does not need modifying.

Mr. CALDER. All right.

The CHAIRMAN. Does the gentleman desire to modify his amendment?

Mr. MANN. There is no modification needed. Mr. Chairman, I think I shall not insist upon the point of order because it presents such a fine question I do not wish to put the burden on the Chair at this time of ruling upon it without very careful consideration. The statute, the gentleman says, fixes the salary at not exceeding $1,600. Very well, the rule has always been in the House that it was not in order to increase a salary over that now being paid, where the law did not specifically provide what the salary should be, and the question is whether, saying the salary shall not exceed $1,600, it specifically provides what the salary shall be. In this case these people are receiving now a smaller salary.

Mr. TAWNEY. Mr. Chairman, if the gentleman will permit me, I desire to say at the last session of Congress we repealed the permanent appropriation under which these services are paid. The law as it stands to-day is merely permissive. We did not change the permissive part of the statute in reference to the payment of compensation for personal services. We have repealed the permanent appropriation, believing that by that repeal we could secure an administration of this branch of the public service at a less cost than we were paying under the permanent appropriation. Now, when we had hearings on this bill and came to inquire or obtain information as to what compensation was being paid under this permissive provision, we found it ranged all the way from $1,000 to $1,500 in offices where, when we compared the compensation paid to those clerks with the compensation paid to clerks in other departments of the Government, we concluded was excessive, and for that reason we exercised a discretion that the department has heretofore exercised in fixing a less compensation than had been paid previously.

Mr. MANN. Mr. Chairman, because of the fact that I am unable to make up my own mind in regard to the point of order I am not going to insist that the Chairman shall rule on the point of order, and I therefore withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the question is on the amendment offered by the gentleman from New York.

Mr. GILLETT. Mr. Chairman, I have not heard any reason given why this should be increased, and I wonder if there is any. I simply wish to say that unless there is some reason given I trust that the amendment will not be adopted.

Mr. CALDER. Mr. Chairman, the chief clerk in the office of the steamboat inspector in New York City is paid $1,500 a year salary. The law authorizes and the appropriations during the past two years have permitted the salary to be increased to $1,600, but, in the judgment of the department, it has been fixed at $1,500. Now, in like departments of the Government in New York City and other places throughout the country, I am reliably informed that the chief clerk is paid as high as $2,000. It seems to me a very poor policy on the part of this Congress to reduce the salary of these officials to an amount less than they are now receiving. In addition, Mr. Chairman, I would like to say that the Department of Commerce and Labor has submitted estimates to Congress based on a salary of $1,600. I hope, Mr. Chairman, that my amendment will prevail.

Mr. GILLETT. Mr. Chairman——

Mr. BENNET of New York. Mr. Chairman——

Mr. GILLETT. I will yield to the gentleman from New York.

Mr. BENNET of New York. I am in no hurry; but, Mr. Chairman, this particular item is a matter I happen to know something about. In the Fifty-ninth Congress a bill was passed authorizing the Department of Commerce and Labor to raise the salary of this class of officials to $1,600. The department and the bureau did what, it seems to me, every department and bureau ought to do under similar circumstances, investigated with a great deal of care, and while they are authorized to pay the salary of $1,600 to a number of clerks, they raised the salary of one, not to $1,600, but to $1,500, exercising a very wise discretion.

Later there was a committee appointed on efficiency in the Department of Commerce and Labor, which weighed the claims of every man in this particular bureau and reduced some men, one man in particular, as I recall, from $1,400 to $1,000, but left this particular salary at $1,500. Thus we have had the deliberate judgment of this bureau and this department twice within the last four years that this particular man ought to have $1,500 a year. Now, I understand, without any recommendation from the Department of Commerce and Labor, and with no recommendation from the bureau for a reduction, a reduction is proposed to be made to $1,400. I appeal to the good sense and judgment of the gentleman from Massachusetts [Mr. GILLETT] to let this amendment, leaving the salary as it is, go through. If he does not, he is not upholding a department which in the last two or three years has used every effort to discriminate between those who ought to be advanced and those who ought not, which has established a committee on personnel and efficiency, which has been rigorous in its reductions, as the gentleman probably has observed, in the appropriation bills, and particularly in relation to this particular service. In addition to that, since the Slocum disaster we have passed bills in Congress increasing the work of this very clerk by increasing the rigors under all the regulations. So these things are true: We have increased this man's work, the cost of living in New York City has increased, as everyone knows, and his salary has been fixed below the maximum after an investigation, and retained there subsequently on a reinvestigation by the department. If there ever was a case where a man's salary ought not to be reduced, this is that case.

Mr. TILSON. Will the gentleman yield?

Mr. BENNET of New York. Certainly.

Mr. TILSON. The gentleman states that only one clerk has been raised to even $1,500 under this statute.

Mr. BENNET of New York. Eight throughout the country; one in New York City, where I think six or seven could have been raised.

Mr. TILSON. No one has been raised above $1,500?

Mr. BENNET of New York. Not above $1,500, although they could have gone to $1,600.

Mr. TILSON. Is there not liable to be pressure from below, knowing that there is permission to raise to $1,600, to be brought upon the heads of the department from bureaus to raise them to the limit?

Mr. BENNET of New York. Mr. Chairman, this law has been on the statute books four or five years. If pressure ever was to have been exerted, it has been exerted. If it has been exerted, that is all the more reason why this bureau, which has not gone to the maximum, should be sustained when it has picked out one clerk here, seven in the other parts of the country, only eight in all, and raised them, not to the maximum, but to a hundred dollars less than they could get. What encouragement is it to a bureau which has carefully made a scale of salaries after investigation, confirmed after reinvestigation, to have this House, without the recommendation of either the bureau or the department, cut the salaries of those eight men a hundred dollars a year?

Mr. TILSON. Is the gentleman sure that the department has recommended that this maximum be retained at $1,600?

Mr. BENNET of New York. That question is not involved. The department has recommended that these particular eight salaries be retained at $1,500, after two investigations in the last four years.

The CHAIRMAN. The gentleman's time has expired.

Mr. BENNET of New York. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILSON. How many of these clerks are there?

Mr. BENNET of New York. There are eight who are affected by this decrease.

Mr. TILSON. How many are affected by the paragraph itself? How many clerks are in this particular employ?

Mr. BENNET of New York. I should say, although it is a guess, that there are probably 50 or 60 clerks who could have been increased to $1,600 and who have not been increased.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. BENNET of New York. Certainly.

Mr. BURKE of Pennsylvania. Is it not evident, in view of the fact that the department has had power to increase the salaries of all of them, and has increased the salaries of only a few——

Mr. BENNET of New York. Only eight.

Mr. BURKE of Pennsylvania. Is not that evidence of keen discrimination, care, and economy on the part of the department?

Mr. BENNET of New York. The highest evidence.

Mr. BURKE of Pennsylvania. And that is the reason why we should sustain it now?

Mr. BENNET of New York. Certainly. Because the easiest thing for the department to have done would have been to have taken all of these 60 clerks and put them at $1,600, as they could have done under the law. Instead of that, with wise business discretion, they increased them to $1,500.

Mr. GOULDEN. Will my colleague yield?

Mr. BENNET of New York. I will.

Mr. GOULDEN. How many clerks will be affected by this amendment?

Mr. BENNET of New York. Only eight.

Mr. GOULDEN. What is the total amount that it will increase the appropriation as provided for?

Mr. BENNET of New York. Eight hundred dollars. I hope the gentleman from Massachusetts will not cut the salaries of these clerks down.

Mr. SABATH. Where are these eight located?

Mr. BENNET of New York. One in New York and seven in other parts of the country. I think one in Boston, one in Chicago, and the others in other parts of the country.

Mr. TAWNEY. Will the gentleman from New York yield to me for a minute?

Mr. BENNET of New York. Certainly.

Mr. TAWNEY. I want to say that the committee in fixing this rate of compensation did not do so blindly or without any consideration of the character of the services of these men. In fixing the salaries the committee had reference to the compensation of others employed in like character of duty to that performed by these men. In the judgment of the committee the $1,400 allowed by the committee is ample compensation in view of the character of services rendered and in view of the rate of compensation paid in the localities where these men serve. I hope the committee will be sustained by this committee.

Mr. PARSONS. Mr. Chairman, I wish to call the attention of the committee to the fact that in the hearings there is no discussion or no questioning of the department at all as to the advisability of making any reductions. So far as that is concerned, you would read the hearings in vain. All that appears there is that the salaries should be kept at $1,500, as eight of them were on that basis. There is not a word from the department suggesting that there should be any reduction, and no discussion or questioning of the department showing that a reduction was contemplated; not any statement in the hearings as to what the duties of these men are. Apparently from the hearings the salaries would go on at what they have been before.

Mr. TILSON. Mr. Chairman, it seems to me, in view of what has been said, that this amendment as presented is unnecessary. Only $1,500 has ever been given under this permissive legislation. It would appear that full justice will be done to these employees who already receive $1,500 if this amendment is changed to $1,500. In view of what the Department of Commerce and Labor has done in raising these salaries to $1,500, after careful investigation of the efficiency of these employees, that action should be respected and their salaries should not be lowered. At the same time it seems to me unwise to go $100 higher and allow $1,600. Therefore I move an amendment to the amendment by striking out the word "six" from the amendment and inserting the word "five," so as to make it read "$1,500."

The CHAIRMAN. The gentleman from Connecticut offers an amendment to the amendment of the gentleman from New York, which the Clerk will report.

The Clerk read as follows:

Strike out "six" and insert "five," so as to read "$1,500."

Mr. CALDER. Mr. Chairman, I accept that amendment to my amendment.

Mr. GILLETT. Mr. Chairman, the committee will accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Connecticut to the amendment offered by the gentleman from New York.

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

The CHAIRMAN. The question is on agreeing to the amendment as amended.

Mr. GILLETT. Mr. Chairman, I wish to say just a word, and that is that the committee appreciates heartily the good work which has been done, as suggested by the gentleman from New York, by the Department of Commerce and Labor. It was not with any ignorance of that work that this change was made. The Department of Commerce and Labor certainly has exercised a very careful and wise discretion in distributing these salaries, and has kept them down below the maximum.

The CHAIRMAN. The question is on the amendment as amended.

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

The Clerk read as follows:

Shipping service: For salaries of shipping commissioners in amounts not exceeding the following: At Baltimore, $1,200; at Bath, $1,000; at Boston, $3,000; at Gloucester, $600; at Honolulu, $1,200; at Mobile, $1,200; at New Bedford, $1,200; at New Orleans, $1,500; at New York, $5,000; at Norfolk, $1,500; at Pascagoula, $300; at Philadelphia, $2,400; at Portland, Me., $1,300; at Port Townsend, $3,500; at Providence, $1,800; at Rockland, $1,200; at San Francisco, $4,000; in all, $31,900.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I would like to inquire whether these salaries providing for the shipping service are made the same as they are now paid. The shipping service is now paid out of permanent appropriations, and this is paid specifically.

Mr. GILLETT. Yes; they have formerly been paid, as the gentleman suggests, out of a permanent appropriation, and their salary was paid by computation of fees. We are advised that this sum which is now provided gives them practically, as near as can be computed, the same salary as they now receive, without any increase.

Mr. MANN. There is no purpose on the part of the committee to increase the salaries in any way?

Mr. GILLETT. Not at all.

Mr. MANN. Or to provide that they should be paid in fees? Will the fees now be paid into the Treasury; and if so, under what authority of law?

Mr. GILLETT. The gentleman is probably aware no fees are now paid. They used to be paid by fees. We repealed the fees, and still their salary is fixed on the same basis. As the gentleman will see in the proviso that follows, we provide that hereafter estimates shall come in accordance with that basis. In other words, it is simply transferring it from a permanent to an annual appropriation.

Mr. MANN. What is this basis of fixing salaries? Let me see if I understand this. Originally these commissioners were paid wholly from the fees of their office. Thereupon, the fees being abolished, as suggested by the gentleman, the department continued to pay these men upon the basis of the work they performed, in accordance with the original provision about fees.

Mr. GILLETT. Yes.

Mr. MANN. The department paid them an amount equal to the fees originally provided by the law which Congress repealed, making the payment out of the permanent appropriation fund.

Mr. GILLETT. Yes.

Mr. MANN. What is that basis of fees? Perhaps they are paid too much.

Mr. GILLETT. If the gentleman will allow me, I will turn to the hearing and read from the statement of Mr. Chamberlain:

Originally those fees were paid by the masters of the ships to the shipping commissioners; then Congress, by the act of 1886, abolished those charges, and a great many other charges on American shipping, and provided that the officers who were to be compensated direct by the shipowners should be compensated by the Treasury.

Mr. GILLETT. Is this a fair way of arriving at the amount of work they do?

Mr. CHAMBERLAIN. It is the fairest way I know of, although it does not cover everything. One of the most difficult things, and the most important work these men do, is to prevent disputes and to try to settle out of courts disputes between seamen and masters and owners. They endeavor to settle disputes by arbitration and keep them out of the courts. Their particular business is to look after the sailors as far as they can and prevent suits; they endeavor to arbitrate differences, settle matters of wages, provisions, accommodations, and things of that sort.

That is, the sort of work which he says is the most important work, really was not covered by the fees. The fees were simply for the services which they rendered to the masters of ships.

Mr. MANN. As I understand, the shipping commissioners are practically guardians of the seamen.

Mr. GILLETT. They are guardians of the seamen.

Mr. MANN. And their protectors in making contracts, and so forth?

Mr. GILLETT. Yes.

Mr. MANN. How many shipping commissioners are there at each of these ports?

Mr. GILLETT. One at each port.

Mr. MANN. What excuse can there be for the varying salaries provided here?

Mr. GILLETT. Mr. Chamberlain says the fairest way of determining the salaries is by gauging them by the work these men do, and we really took his word for it. I do not think anyone on the commitee is familiar with the shipping business.

Mr. MANN. I should not have supposed that there was such a variation between Boston and Philadelphia as there is here, or between Philadelphia and San Francisco or Port Townsend as there is here.

Mr. GILLETT. As I say, it is gauged by the work they do, and apparently the work they do is greater at Port Townsend than at Philadelphia, although I will agree with the gentleman that the variation is a very wide one.

Mr. MANN. I think the gentleman will agree that the salary of the shipping commissioner at Honolulu, $1,200, and the salary of the shipping commissioner at San Francisco, $4,000, are not commensurate with any proportionate amount of duties performed by the two men.

Mr. GILLETT. I can not agree with that, Mr. Chairman, because I do not know it. The gentleman who does know about it is the Commissioner of Navigation; and if the gentleman from Illinois is acquainted with him he knows that the Commissioner of Navigation is a gentleman of great intelligence and of great industry.

Mr. MANN. I know him, and have a very high regard for Mr. Chamberlain.

Mr. GILLETT. He assured us that this was the best way of determining these salaries, and we followed his advice.

Mr. MANN. I know of no other place in the Government where a man's salary automatically increases on any ratio with the additional amount of work which he performs.

Mr. GILLETT. It is not at all a bad standard. Of course, the kind of work should be considered in fixing the units, but after the value of a unit is established, I do not think it is at all a bad system to have the salary gauged by the amount of work that is done.

Mr. MANN. I think it is a very bad system to increase the pay for increase of work on the same basis that you pay for the beginning of the work. The original commissioners' fees were the same; I do not know whether the salary was the same or whether they kept all the fees or not.

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

Mr. MANN. Mr. Chairman, I have no other information, as far as this paragraph is concerned, and I propose to withdraw the point of order, but I shall insist upon a point of order to the next paragraph, so that the committee will have an opportunity to inform themselves next year and not attempt to fix salaries without sufficient information.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Provided, That hereafter the Secretary of Commerce and Labor shall submit annually, estimates for salaries of shipping commissioners based on the services rendered during the last preceding completed fiscal year, in accordance with the basis of computing shipping commissioners' salaries prescribed in the acts of June 26, 1884, and June 19, 1886.

Mr. MANN. Mr. Chairman, I make a point of order to that paragraph.

The CHAIRMAN. Does the gentleman from Massachusetts wish to be heard upon the point of order?

Mr. GILLETT. I do not.

The CHAIRMAN. The point of order is sustained.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. MARTIN of South Dakota having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Bureau of Immigration and Naturalization: Commissioner General of Immigration, $5,000; Assistant Commissioner General, who shall also act as chief clerk and actuary, $3,500; private secretary, $1,800; chief statistician, $2,000; 3 clerks of class 4; 5 clerks of class 3; 6 clerks of class 2; 8 clerks of class 1; 8 clerks, at $1,000 each; 6 clerks, at $900 each; 2 messengers; assistant messenger; in all, $59,500.

Mr. BENNET of New York. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Does this decrease the salary of the Commissioner General of Immigration?

Mr. GILLETT. It does not.

Mr. BENNET of New York. I withdraw the pro forma amendment.

The Clerk read as follows:

Bureau of Standards: Director, $6,000; chief physicist, $4,800; chief chemist, $4,800; associate chemist, $2,500; associate chemist, $2,200; two physicists, at $3,600 each; associate physicist, $2,700; 3 associate physicists, at $2,500 each; 3 associate physicists, at $2,200 each; 5 associate physicists, at $2,000 each; 7 assistant physicists, at $1,800 each; 11 assistant physicists, at $1,600 each; two assistant chemists, at $1,800 each; 3 assistant chemists, at $1,600 each; 2 assistant chemists, at $1,400 each; 14 assistant physicists, at $1,400 each; 15 laboratory assistants, at $1,200 each; 12 laboratory assistants, at $1,000 each; 11 laboratory assistants, at $900 each; 3 laboratory helpers, at $720 each; 9 aids, at $720 each; 6 aids, at $600 each; 6 laboratory apprentices, at $540 each; 6 laboratory apprentices, at $480 each; storekeeper, $1,000; librarian, $1,400; secretary, $2,200; clerk of class 4; clerk of class 3; 2 clerks of class 2; 2 clerks of class 1; 4 clerks, at $1,000 each; 2 clerks, at $900 each; 2 clerks, at $720 each; telephone operator, $720; 2 messenger boys, at $480 each; 3 messenger boys, at $360 each; elevator boy, $360; chief mechanician, $1,800; mechanician, $1,500; mechanician, $1,400; 2 mechanicians, at $1,200 each; 3 mechanicians, at $1,000 each; mechanician, $900; 3 watchmen; skilled woodworker, $1,000; skilled woodworker, $840; 5 skilled laborers, at $720 each; draftsman, $1,200; packer and shipper, $840; messenger; superintendent of mechanical plant, $2,500; 2 assistant engineers, at $1,200 each; assistant engineer, $1,000; assistant engineer, $900; 3 firemen; glass blower, $1,400; electrician, $1,200; electrician, $900; 4 laborers; 2 janitors, at $660 each; janitor, $600; 2 female laborers, at $360 each; in all, $236,340.

Mr. MACON. Mr. Chairman, I reserve a point of order to the paragraph. I want some information from the gentleman in charge of the bill before I undertake to point out the provisions that appear to be offensive to the rule of the House. I notice in line 12, page 164, the salary of the Director of the Bureau of Standards, it is proposed to increase his salary from $5,000 to $6,000. Line 18, there seems to be three associate physicists at $2,500 each, whereas there were only two appropriated for at that salary a year ago. Line 19, there are three associate physicists, at $2,200 each, when there were only two appropriated for at that salary a year ago. Line 21, we have five associate physicists, at $2,000 each, whereas only four were appropriated for a year ago. Line 22, seven associate physicists, at $1,800 each.

Mr. TAWNEY. If the gentleman will allow an interruption, I think I can explain in a word why the additional number of employees are provided for in this bill. The gentleman from Arkansas will remember that two years ago we enlarged the plant of the Bureau of Standards by authorizing the construction of a new laboratory and also the construction of a new 2,000,000-pound testing machine. The laboratory is completed and the testing machine is to be installed before the end of this fiscal year. This necessitates the employment of additional physicists and other employees. At the last session of Congress we took over, as the gentleman from Arkansas will remember, from the technological branch of the Geological Survey the testing of structural material. That, of course, brought into the Bureau of Standards a number of additional employees that we provide for in this fiscal year by the appropriation made for the technological branch of the Geological Survey. We must appropriate for them in this bill for the next fiscal year. The employees of the Bureau of Standards are made necessary by reason of the increased activities of the bureau authorized by Congress and the transfer of the testing plant from the Geological Survey to the Bureau of Standards.

Mr. MACON. Were these physicists transferred from the Geological Survey to this bureau?

Mr. TAWNEY. They were transferred in this way: The appropriation was a lump sum, and all the employees who were engaged in testing structural material were paid out of that appropriation; they were transferred to the Bureau of Standards, and for the remainder of this fiscal year they are being paid out of this lump-sum appropriation. Now we must provide specifically for their salaries, and that is the reason for the apparent increase in the number of employees authorized in this paragraph.

Mr. MACON. It is not the purpose of the committee to appropriate for this same number of employees in the Geological Survey?

Mr. TAWNEY. No; they are out of the Geological Survey entirely, and have been during the greater part of this fiscal year.

Mr. MACON. Mr. Chairman, while the gentleman is on his feet, I will ask him to explain the superintendent of the mechanical plant at $2,500, on page 156, beginning on line 9. That seems to be new.

Mr. TAWNEY. Mr. Chairman, I will say that that is a new position, made necessary by reason of the enlargement of the plant in the last four years, first, by the creation of this new laboratory, which is a very expensive one, and also by the new work incident to the question of structural material. We have there, I will say to the gentleman, one of the most extensive, one of the most perfect, one of the most valuable mechanical plants that is in the Government service to-day, and the director did not feel justified in allowing that plant to be operated any more without a general superintendent of the whole mechanical plant. The plant has been very largely increased, and this office is absolutely necessary in order that the plant may be properly taken care of.

Mr. MACON. Mr. Chairman, upon the statement of the gentleman from Minnesota, I am not going to complain of the new place mentioned or of the appropriation made necessary by this transfer of positions, but I shall make a point of order against the increase of the salary of the director from $5,000 to $6,000, on page 164, lines 12 and 13, and on one glass blower at $1,400, on page 166, beginning on line 13 and ending on line 14.

Mr. TAWNEY. Mr. Chairman, I will ask the gentleman to reserve his point of order on those.

Mr. MACON. I will reserve the point of order for an explanation.

Mr. TAWNEY. Mr. Chairman, I trust the gentleman from Arkansas will not insist upon either of these points of order. I am satisfied that if he were as familiar with the work and the methods of the Chief of the Bureau of Standards, he would not consent to a further discrimination or continuance of the discrimination against the Chief of the Bureau of Standards and in favor of other bureaus that are far less important. The gentleman in charge of this bureau is, I think, one of the best administrative officers we have in the Government service, one of the best qualified men for the position he is filling. There is one further fact that has commended this gentleman to the Committee on Appropriations I desire to call to the attention of the gentleman from Arkansas: When the Chief of the Bureau of Standards makes any recommendation to Congress for any increase in the activities of that bureau, he does not go to or communicate with those with whom he has been doing business in the past and get them to use their influence with the committee or with Congress in order to secure the favorable consideration of his recommendation.

He has invariably relied upon the merits of his propositions and recommendations, and if he could not convince the Committee on Appropriations that the increase in the activities of that bureau were necessary, he dropped the matter there, believing that that was as far as his function as a bureau officer should go. Unlike many other bureau chiefs, he does not bring to bear the influence he could bring to bear for that purpose. In other words, he is in no sense a lobbyist.

For example, there is not a branch of the public service that is in closer touch with the electrical world to-day than the Bureau of Standards. It is doing work for that branch of science all of the time, but the gentleman at the head of this bureau does not call upon those for whom he has been performing service to aid him in influencing Congress.

He relies upon the merits of his own service and the merits of his own work, and if that fails to accomplish the favorable consideration of his recommendations that is the end of it. I say, that a bureau chief who not only knows, but keeps within the legitimate functions of a bureau chief, as this man does and has in the past, is worthy of as much compensation as those bureau chiefs are now receiving who do not observe either the spirit or the letter of the functions which they perform in connection with the several departments.

We have a number of bureau chiefs at the head of bureaus far less important than the Bureau of Standards who are receiving $6,000 a year. The Chief of the Bureau of Mines, a position created a year ago, or at the last session of Congress, and for which I think the gentleman from Arkansas voted, receives a salary of $6,000 a year. The Chief of the Bureau of Fisheries gets $6,000 a year. The Chief of the Coast and Geodetic Survey receives $6,000 a year. The Chief of the Geological Survey receives $6,000, and there are a number of others, and I appeal to the gentleman from Arkansas, in the interest of justice and fair play, justice to a bureau officer of the Government, one who is at the head of one of the most important scientific bureaus of the Government, to allow the provision increasing his salary from $5,000 to $6,000 to pass without making the point of order.

Mr. GILLETT. Mr. Chairman, I would like to add a word. I indorse most heartily everything that has been said by the gentleman from Minnesota, and I want to make one further suggestion, and that is that the Chief of the Bureau of Standards is as modest as he is efficient. He said not a word in favor of this advance in his compensation. It did not originate with him, and we believe that both his efficiency and his modesty deserve this reward. I hope the gentleman will not make his point of order against it.

Mr. MACON. Mr. Chairman, I appreciate what the gentlemen have said in regard to this matter, but I can not accept their conclusions in regard to it without a grain of salt. They say that this gentleman's duties have been increased, that he is very efficient, and yet in this very appropriation bill we provide eight additional employees at good salaries to assist him in his work, and we provide an increase of $34,900 over the expense of the bureau last year. I can not understand how a chief that will increase the appropriation that much in one year, who will ask for the assistance of eight additional persons to help him in his work, can with any grace come to this House and ask that his salary be increased at a time when the Treasury of the Government is not in a condition to be strained.

Again, Mr. Chairman, I do not understand why it is that gentlemen insist every time we attempt to prevent extravagances of Congress by stopping increases of salaries, when salaries are already good, why they should insist that we are doing it as an injustice to an individual, or to a given head of a bureau or an employee. They want to equalize salaries by bringing everybody's up, but you never hear of them lowering anybody's salary in order that we may bring about an equalization of salaries.

In my judgment, if there were 100 persons employed in the same relative positions by the Government, and one of them was receiving $6,000 and the other 99 were receiving $5,000, we would find advocates on this floor who would say that the 99 were being prejudiced by not having their salaries increased so that they would be equal to the salary of the one. Why not bring the one down to the 99, instead of increasing the 99 salaries up to the salary of the one? I have found that to be the case in this House since I have been a Member of it. We equalize always upward, and at the expense of the taxpayers rather than at the expense of the individual officeholder, never at any time taking into consideration the great burdens that are continually being piled up for the people to bear.

Mr. Chairman, I insist upon the two points of order.

Mr. TAWNEY. Will the gentleman from Arkansas withhold his point of order for a moment as to this glass blower?

Mr. MACON. Yes.

Mr. TAWNEY. I want to say to him and to the House that this man is a very highly skilled mechanic, and has the offer of a position at a much higher salary than we propose in the Chicago University, and of course will accept it unless the salary can be made commensurate with the skill he possesses and the services he renders to the Government.

Mr. MACON. Does the gentleman think that we are doing justice to that particular employee by compelling him to stay here and work for the Government——

Mr. TAWNEY. Not compelling him——

Mr. MACON (continuing). At a smaller compensation than he can get elsewhere?

Mr. TAWNEY. But the compensation that he receives to-day is so much below the compensation paid to the trade outside of the Government service that we can not get any man competent to fill the position at the compensation now provided by law. This man may go to the University of Chicago, where he has been offered a higher salary, and we can not secure the competent services of a man, because the trade compensation is higher than the compensation this man is now receiving from the Government. That is the reason for it.

Mr. MACON. Mr. Chairman, I do not want to stand in the way of this particular gentleman who can get a better salary in Chicago. That question was discussed here on the floor the other day in regard to some one in charge of the parks of the city, whom they said could get a greater salary in Chicago than here, and therefore his salary ought to be increased here. I insist, in the interest of humanity, that if this gentleman can do better elsewhere, that we ought to be willing to help increase his salary by permitting him to go elsewhere for employment.

Mr. TAWNEY. If the gentleman will permit, that is what we propose to do, but when he does go we do not want the Government left in the position where it can not secure the services of a competent man to take his place, which we can not do now because the rate of compensation paid to the trade outside is higher than that paid in the Government service.

Mr. MACON. Mr. Chairman, continuing, I will state that I saw in the newspapers the other day where a certain gentleman receiving a salary of $5,000 in this city has willfully, deliberately, and, I might say, with malice aforethought, turned down a salary of $40,000 in the city of Chicago in order to retain his present position. Now, there must be some special reason for these gentlemen to remain in the city of Washington to serve the Government at less than they can get elsewhere that must be a sufficient compensation to them to stay here or they would leave. I do not believe they would stay here unless that compensation did exist and unless it was entirely satisfactory to them. Why, the very first thing we know we will be asked to increase the salary of the gentleman just mentioned considerably because he has refused to take $40,000 to go elsewhere. We can not afford to accept that kind of an argument when we come to deal with a trust fund that has been placed in the hands of the Congress by a generous and confiding constituency.

The CHAIRMAN. The gentleman from Arkansas makes the point of order on lines 12 and 13?

Mr. MACON. Beginning on line 12 and ending on line 13 with the word "dollars," page 164.

The CHAIRMAN. For the reason that the amount of $6,000 is not authorized by existing law?

Mr. MACON. Yes.

The CHAIRMAN. The Chair sustains that point of order. Now, as to the point of order——

Mr. MACON. Page 166, beginning on line 13 with "glass blower," ending with "dollars," on line 14, which salary is increased to $1,400, and is not authorized by existing law.

Mr. TAWNEY. Mr. Chairman, that is conceded.

The CHAIRMAN. The point of order is sustained.

Mr. GILLETT. Mr. Chairman, I move to amend the bill by restoring the salary of director to $5,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 164, line 12, after the word "director," insert "$5,000."

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

Mr. GILLETT. Mr. Chairman, on page 166, line 13, I offer an amendment, "glass blower, at $1,200."

Mr. MACON. Mr. Chairman, that being a very small amount, only an increase of $200, and the gentleman insisting that this is a very efficient man for that particular place, I will ask unanimous consent to withdraw the point of order.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to withdraw the point of order. Without objection, it is so ordered.

There was no objection.

Mr. GILLETT. Then I withdraw my amendment.

The CHAIRMAN. And the item will stand as it is in the bill.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, Jr., late a Senator from the State of Colorado.

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

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

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For fuel for heat, light, and power; office expenses, stationery, books and periodicals (subscriptions to periodicals may be paid in advance); traveling expenses; expenses of the visiting committee; expenses of attendance of American member at the meeting of the International Committee of Weights and Measures; traveling expenses of two delegates to the International Committee on Electrical Units and Standards, one of whom shall be an officer or employee of the Bureau of Standards; and contingencies of all kinds, including a vehicle for official use, $25,000.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill why this amount has increased so much since last year.

Mr. GILLETT. Because since last year there has been a large new building erected there, the expense of which adds to the expense for fuel, heat, and for all the contingent expenses.

Mr. MICHAEL E. DRISCOLL. Where will the meeting of the International Committee of Electrical Units and Standards be held this year?

Mr. GILLETT. I do not know.

Mr. MICHAEL E. DRISCOLL. Is there any definite amount considered for that?

Mr. GILLETT. I forget. Usually it is about $450, which is a small item.

Mr. MICHAEL E. DRISCOLL. Is the amount increased on account of fuel?

Mr. GILLETT. On account of the increase in the plant there. We have very largely increased the plant.

Mr. TAWNEY. An entirely new laboratory has gone into operation.

Mr. MICHAEL E. DRISCOLL. Who appoints the delegates to the International Committee on Electrical Units and Standards?

Mr. GILLETT. I think the President does.

Mr. MICHAEL E. DRISCOLL. Does he appoint both of them?

Mr. GILLETT. I think so.

Mr. MICHAEL E. DRISCOLL. Where is that meeting to be held this year?

Mr. GILLETT. I think it is to be held in Washington this year, although I am not sure.

Mr. MICHAEL E. DRISCOLL. Then there will be no traveling expenses connected with that?

Mr. GILLETT. It depends on where the delegates come from.

Mr. MICHAEL E. DRISCOLL. He pays the expenses of those who come here?

Mr. GILLETT. Oh, yes.

Mr. MICHAEL E. DRISCOLL. Of two delegates?

Mr. GILLETT. Two delegates. I mean the two who represent the Government. They may not come from Washington; they may come from anywhere in the United States. If they do not use that amount, it will go back into the Treasury. It may be a very small amount this year.

Mr. MICHAEL E. DRISCOLL. One of them would be an employee of the bureau?

Mr. GILLETT. Yes; he would be right here.

Mr. MICHAEL E. DRISCOLL. And there would be no expense as to that delegate?

Mr. GILLETT. No. That is a very small item.

Mr. MICHAEL E. DRISCOLL. I withdraw the pro forma amendment.

The Clerk read as follows:

For completing, installing, equipping, and protecting testing machine at Pittsburg, Pa., $25,000.

Mr. WILSON of Pennsylvania. Mr. Chairman, I make a point of order against the paragraph.

Mr. GILLETT. I would like to know what the point of order is, Mr. Chairman.

Mr. WILSON of Pennsylvania. The point of order is that it is in violation of Rule XXI, paragraph 2, in that it changes existing law.

Mr. GILLETT. This is a public work now in progress.

Mr. WILSON of Pennsylvania. It is in progress, but not in this bureau.

Mr. GILLETT. The gentleman is mistaken there. It has been transferred to this bureau.

Mr. WILSON of Pennsylvania. Mr. Chairman, this testing machine was erected from appropriations made to the Geological Survey.

Mr. TAWNEY. For what purpose?

Mr. WILSON of Pennsylvania. For the purpose of testing structural material.

Mr. TAWNEY. Which appropriation has been transferred to the Bureau of Standards.

Mr. WILSON of Pennsylvania. No; it has not. It was built under this appropriation to the Geological Survey; that in turn was transferred to the Bureau of Mines by the act creating the Bureau of Mines. The sundry civil appropriation bill of the last session of Congress repeals a certain portion of the law creating the Bureau of Mines, and the repealing clause reads as follows:

So much of the act establishing a Bureau of Mines, approved May 16, 1910, as transfers to said bureau the supervision of the investigations of structural material and equipment therefor, is repealed.

By the repeal of that provision it goes back, if it goes at all, to the Geological Survey; but I contend that it does not take that machine back, because of the fact that the machine having been transferred to the Bureau of Mines it was no longer the purpose of using it for testing structural material, but for the purpose of testing the strength of overlying strata in mines, to determine the methods necessary for the protection of human life, and consequently that machine, by the repealing clause, was not taken back to the Geological Survey, and could not have been transferred to the Bureau of Standards.

Mr. GILLETT. Mr. Chairman, this specific question as to where this testing machine belongs became a matter of controversy between the two departments, the Department of Commerce and Labor and the Department of the Interior, in one of which is the Bureau of Mines and in the other the Bureau of Standards.

In order to have the question settled, these two departments amicably referred the question, which the gentleman has just discussed, to the Attorney General. I have in my hand an abstract of the opinion of the Attorney General, which, I think, as it satisfied the heads of both of these departments, will probably also satisfy the chairman of this committee. The Attorney General, on this very question that the gentleman has argued, decided that the obvious intent of the law of last year was to repeal so much of the law as might transfer this testing machine to the Bureau of Mines, and that it went to the Bureau of Standards. I will send to the Chair the opinion of the Attorney General. He states the question not only better, but with more authority than I can pretend to, and I will leave it to the Chair.

Mr. WILSON of Pennsylvania. I ask that the opinion be read for the information of the House.

The CHAIRMAN. Without objection, the opinion of the Attorney General will be read.

The Clerk read as follows:

Extract from the decision of the Attorney General relative to the right of possession of certain equipment.

The legislation referred to expressly deprived the Secretary of the Interior of authority to transfer the equipment used in connection with the investigation of structural materials of the character named from the Geological Survey to the Bureau of Mines. There was no inhibition upon its transfer from the Geological Survey to the Bureau of Standards. On the contrary, the understanding seems to have been that it would be transferred to the Bureau of Standards. It follows, therefore, for the reasons above stated, that it is both the right and duty of the Secretary of the Interior to make the transfer.

This view is entirely consistent with the fact that it may not have been intended to deprive the Bureau of Mines of authority to investigate structural materials so far as pertains to the duties for which it was created. Those duties are separate and distinct from the purposes for which the purchase of the equipment referred to was authorized by Congress. As shown, such equipment was authorized for the express purpose of investigating structural materials of a certain character, which particular work has been taken from the Geological Survey and transferred to the Bureau of Standards.

I have therefore to advise you that the equipment to which you refer, including the 10,000,000-pound testing machine, is the property of the United States, and under existing law can not be transferred to the Bureau of Mines, but should be transferred to the Bureau of Standards of the Department of Commerce and Labor, in order that it may be applied to the specific purpose for which it was authorized. In saying this, I assume that there is an appropriation available to defray the expense of such transfer.

Respectfully,

(Signed) GEORGE W. WICKERSHAM,
Attorney General.

Mr. GILLETT. And, Mr. Chairman, I should add, as a matter of fact, under that opinion the transfer has actually been made.

The CHAIRMAN. Actually been made?

Mr. WILSON of Pennsylvania. In view of the document just read, I withdraw the point of order and move to strike out the paragraph.

The CHAIRMAN. The gentleman from Pennsylvania withdraws the point of order and moves an amendment, which the Clerk will report.

The Clerk read as follows:

Page 168, strike out lines 7, 8, and 9.

Mr. WILSON of Pennsylvania. Mr. Chairman, the testing machine for which this bill proposes to furnish an appropriation for the Bureau of Standards is one of the largest, if not the largest, in capacity anywhere in the world. It has a compressive power of 10,000,000 pounds, a power that is not necessary and is not needed in the Bureau of Standards. The Bureau of Standards is already provided with a testing machine that has not only a compressive power of 2,000,000 pounds or upward, but also a stretching power of an equivalent amount, a machine better suited to the purposes of the Bureau of Standards than this machine, which has a compressive power and a compressive power only. The Bureau of Standards having been provided with a machine that is sufficient for the purposes of the bureau in that direction, there is no necessity for this machine being equipped for the Bureau of Standards. But there is a necessity for a machine of this character in the Bureau of Mines. It is a well-known fact to those who have examined statistics that the great majority of lives lost in mining of coal, metal, and quartz is due to the falling of the roof or the overlying strata in the mines. The cause of that is the improper propping of the strata, and consequently improper protection. The fact that pillars are not of sufficient strength to support the roof; the fact that props are not of sufficient strength to support the roof are the causes responsible for many of these accidents. This machine could be utilized to great advantage in the Bureau of Mines as the means of demonstrating the width to which rooms may be driven in mines with reasonable safety and the size of the pillars necessary to promote safety; also to determine practically the strength of the different materials that constitute the overlying strata of various mining localities.

Mr. TAWNEY. The gentleman is aware that this machine which he has commended so highly has not yet been completed?

Mr. WILSON of Pennsylvania. I am not aware that it has not been completed, except in so far as it has not been assembled.

Mr. TAWNEY. It has not been completed. It will require an expenditure of $25,000 to complete it. Now, granting that all that the gentleman has said be true, we ought not to allow it to remain in its unfinished condition by striking out the appropriation.

Mr. WILSON of Pennsylvania. My information is that the machine has been completed.

Mr. TAWNEY. The gentleman is mistaken.

Mr. WILSON of Pennsylvania. Except the fact that it is not assembled; that a portion of the machine is in Pittsburg and another portion of the machine is in Philadelphia, and that the machine is only lacking in assembly to complete it, and that this appropriation will do that.

Mr. MANN. Does the gentleman understand that whatever bureau has this machine, it is to remain at Pittsburg?

Mr. WILSON of Pennsylvania. I understand that it is to remain at Pittsburg.

Mr. MANN. In any event?

Mr. HENRY W. PALMER. For whose benefit?

Mr. MANN. For the benefit of the public, I assume.

Mr. HENRY W. PALMER. I guess not.

Mr. MANN. This money is necessary to put the machine together. Is it not desirable to appropriate the money and have the machine set up, and leave it to Congress, if it chooses, to change it from one bureau to the other? If it were proposed to take it away from Pittsburg, that would be another proposition. It is to remain there, and it will be just as accessible to the Bureau of Mines as to the Bureau of Standards when completed.

Mr. WILSON of Pennsylvania. As to the accessibility of it, I am not so sure, because I am not sure as to the location.

Mr. TAWNEY. The location is not to be changed.

Mr. GILLETT. There is to be no change of location.

Mr. MANN. It is to be at the same place, as I understand it.

Mr. WILSON of Pennsylvania. In any event, this machine should be set up as of the Bureau of Mines instead of the Bureau of Standards, because the Bureau of Standards does not require this machine at all.

[The time of Mr. WILSON of Pennsylvania having expired, by unanimous consent, at the request of Mr. MANN, it was extended five minutes.]

Mr. MANN. Now, I hope the gentleman will finish his statement.

Mr. WILSON of Pennsylvania. Mr. Chairman, I have but little to add to what I have already said. I have stated my position upon this question, that the machine is necessary in the Bureau of Mines, that it is needed for the protection of human life and to demonstrate the strength of different overlying strata in different mines throughout the entire country, and is not needed in the Bureau of Standards, because the Bureau of Standards already has a testing machine of sufficient capacity for the testing of materials that it proposes to test.

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

Mr. WILSON of Pennsylvania. Certainly.

Mr. TILSON. The gentleman admits that the machine is useful.

Mr. WILSON of Pennsylvania. Undoubtedly it would be a useful machine in operation.

Mr. TILSON. It ought to be completed and used for proper purposes, ought it not?

Mr. WILSON of Pennsylvania. Yes.

Mr. TILSON. Will those purposes be served by striking out the appropriation for it?

Mr. WILSON of Pennsylvania. I think so, because of the fact that this provision will not put it in the place where it will do the most good. It will place it under the jurisdiction of a bureau that already has a machine for the purpose of carrying on the experiments required by that bureau.

Mr. TILSON. Would it not be better to make this appropriation and complete this machine, and then, if the gentleman thinks a different place is proper for it, to secure proper legislation to place this machine where it will do the most good?

Mr. WILSON of Pennsylvania. The gentleman has just the reverse idea of this proposition from what I have. I believe in placing this machine where it properly belongs, and then erecting it.

Mr. SLAYDEN. Is it not true that this machine was in charge of the Geological Survey, and was not legislation enacted within the last year or so to transfer it to the Bureau of Standards?

Mr. GILLETT. It was. I am sorry that this question has arisen again, because it was thrashed out last year, and the House passed legislation which, the Attorney General has ruled, transferred this machine from the Geological Survey to the Bureau of Standards. Now it can not be transferred back again on this bill.

Mr. SLAYDEN. It is true it was in the Geological Survey, and the work of the new Bureau of Mines was being done then by the Geological Survey; but the plant and the work were coveted by the Bureau of Standards, and with the extraordinary skill that that bureau has manifested since it was first organized it went after it and got what it wanted, as it always has done. That bureau started out originally with the proposition that it would cost us less than $50,000 a year, if I remember the figures, and would result in a return of revenue to the Government, but it has now grown until its annual appro-

priations go up into the hundreds of thousands of dollars. I am informed that that bureau is duplicating work that is being done by another, and that when it finds it is not going to be permitted to duplicate the work of other bureaus it reaches out and takes away from the others that which properly belongs to them. I do not care where the work is done. I have no special interest in the Bureau of Mines or in the Geological Survey; but I do believe that any bureau of the Government which manifests such skill in juggling legislation and in wheedling excessive appropriations and increasing appropriations from year to year will bear watching. [Applause.]

Mr. WILEY. I would like to ask the gentleman a question.

Mr. SLAYDEN. I will yield to the gentleman.

Mr. WILEY. I want to ask the gentleman whether he does not think it is better, in any event, to complete and put this machine together so that it will be useful rather than to discuss the question of location.

Mr. SLAYDEN. Oh, after the bureau has got the tactical advantage, after it has got the legislation, of course it is better to put the machine together.

Mr. GILLETT. Mr. Chairman, when the gentleman from Texas says that the Bureau of Standards exhibits this extraordinary skill, if he means by that a reflection upon the Bureau of Standards as lobbying in accomplishing things, I think it is a most unjust and unfounded accusation. For, as the gentleman from Minnesota said a little while ago, if there is one bureau which has kept its hands off Congress and has depended simply on the merit of its work and not upon lobbying it is the Bureau of Standards. What he says about duplicating work I think is fair. There has been great duplication of work in the different departments, and that is one reason why the Bureau of Standards was established—to prevent that. Here is a specimen of it. The Bureau of Standards is the one bureau that ought to do work of this kind. It is doing it in other branches, and why should it not do it in every branch?

The gentleman from Pennsylvania is mistaken in saying that the Bureau of Standards has a machine which does work similar to this. They had a small machine, but it is as different from this as a hay scale is from a druggist scale.

Mr. WILSON of Pennsylvania. Is not the machine which has been provided by Congress sufficiently large for all the requirements of the Bureau of Standards for testing structural material?

Mr. GILLETT. Indeed it is not. The gentleman is quite mistaken; it is for quite a different purpose. It is an entirely different kind of machine.

Mr. WILSON of Pennsylvania. Is not the machine a horizontal machine that is to test both the compressing power and stretching power?

Mr. GILLETT. I can not go into the details; but I inquired specifically whether it was a machine that accomplished the same result, and I was told absolutely it was not.

Mr. WILSON of Pennsylvania. It can not accomplish the same result, because it has not the same compressing power, this machine having a compressing power of 10,000,000 pounds and the other a compressing power of only 2,000,000 pounds. They differ only in degree.

Mr. GILLETT. I think the gentleman from Pennsylvania is mistaken. It is not a difference in the amount of strength which it can test, but it is also a difference in the method. I am not a scientist, and I do not know how the two machines do differ, except I was told that there was a specific distinction and difference, not in degree but in kind.

Now, the amendment offered by the gentleman from Pennsylvania does not accomplish anything. It simply prevents the completion of this machine. It could not be transferred to the other bureau on this bill if we wanted to. It would be subject to a point of order. If this amendment went through it would simply prevent the completion of this machine. This contemplates putting the machine where it was originally intended, at Pittsburg, and will be there under the Bureau of Standards, and will carry out the same purpose as was originally intended and will prevent the duplication which the gentleman speaks of.

Mr. FOSTER of Illinois. Will the gentleman allow a question?

Mr. GILLETT. Certainly.

Mr. FOSTER of Illinois. I would like to ask if there is not a machine at Pittsburg for the purpose of testing structural material.

Mr. GILLETT. A small one.

Mr. FOSTER of Illinois. Do they do work for outside parties?

Mr. GILLETT. They do; but mainly for the Government.

Mr. FOSTER of Illinois. They do it for outside parties, and are they paid for it?

Mr. GILLETT. They charge for it; yes.

Mr. FOSTER of Illinois. In case the Bureau of Mines, as suggested by the gentleman from Pennsylvania, desires to do some testing in reference to a block of coal for support of a roof, are they given the preference in doing the Government work?

Mr. GILLETT. Why, certainly; the Government work is always given the preference.

Mr. FOSTER of Illinois. So that it would not interfere with that, if this machine were set up in Pittsburg and under the control of the Bureau of Standards? The Bureau of Mines will have all the access and use of that machine that is necessary in this work?

Mr. GILLETT. Certainly. It necessarily will have the preference. The law and the practice requires it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Chairman, I just want to say a few words in response to the statement of the gentleman from Massachusetts [Mr. GILLETT], that I was not quite fair in what I said about the Bureau of Standards. I undertake to be fair always. It has been some time since I had the opportunity of reading the hearings on this bill, and on this item, but I have a distinct impression that the Bureau of Standards went out of its way to create business to justify this unusual expense. They sent men around through the States looking for business, soliciting business, drumming up business, if you please, going, in my opinion, beyond the proper province of the Federal Government in such matters. Now, chronology is an important thing in the consideration of this matter of the relative right of these two bureaus to handle this business. Which was created first, the Geological Survey or the Bureau of Standards?

If, as the gentleman from Massachusetts must admit, the Geological Survey was created first and was doing this or cognate work, the later comer must be regarded as an interloper; the later comer, if there is any duplication, must be responsible for the duplication. I try to be fair, and I hope I am fair to the Bureau of Standards. I hope it will be a useful and efficient arm of this Government, but certainly it has not lived up to what it promised in the index.

Mr. THOMAS of North Carolina. My understanding of the situation is that the machine was originally intended to be transferred from the Geological Survey to the Bureau of Mines.

Mr. SLAYDEN. Yes; it was in the Geological Survey originally that this work was done.

Mr. MANN. Mr. Chairman, the gentleman who asked the last question and the gentleman who answered it will both readily admit they are mistaken in a moment. I asked the gentleman from Texas [Mr. SLAYDEN] a year or two ago if he would not visit the Bureau of Standards, and gave him a lot of bulletins which had been issued. I ask him now whether he has ever visited that bureau?

Mr. SLAYDEN. I remember the invitation, but not the bulletins.

Mr. MANN. I presume the bulletins paralyzed the gentleman so that he was not able to go.

Mr. SLAYDEN. I will say to the gentleman that I never got the bulletins.

Mr. MANN. I gave him some, or offered him some, here on the floor of this House. Perhaps he did not carry them away. Mr. Chairman, it is not the case that such a machine as suggested by the gentleman from North Carolina [Mr. THOMAS] was originally provided for the Bureau of Mines.

Mr. SLAYDEN. It was provided for the Geological Survey.

Mr. MANN. This testing machine was commenced long before the Bureau of Mines was created.

Mr. SLAYDEN. Yes.

Mr. MANN. Hence the testing machine could not have been provided for the Bureau of Mines. This testing machine was commenced out of appropriations made for testing structural materials.

Mr. SLAYDEN. In the Geological Survey, was it not?

Mr. MANN. It was commenced out of an appropriation in the Geological Survey for the testing of structural materials. My friend from Pennsylvania [Mr. WILSON] now suggests that it is not needed for that purpose at all. If it is not needed for that purpose at all, the Geological Survey has to answer for commencing out of a general appropriation the construction of a machine for the testing of structural materials not at all needed. I do not know whether that is the case or not.

Mr. TAWNEY. I will say that the man at the head of the Bureau of Mines now is the man that authorized the construction of the machine originally as the chief of the technological branch of the Geological Survey.

Mr. MANN. The gentleman who is now the head of the Bureau of Mines, and who was formerly of the Geological

Survey, says now, as intimated by the gentleman from Pennsylvania, that because he has moved his office the reasons for the creation of this machine have moved; that while he was at the head of the investigation of structural materials the machine was needed to test structural materials, but as soon as he lost that position and went to another it is not needed to test structural materials, but is needed to test something in relation to mines. It may be needed in both places; I do not know.

Mr. WILSON of Pennsylvania. I believe the gentleman is in error when he says that the gentleman who is now at the head of the Bureau of Mines ever made any such statement.

Mr. MANN. Well, the gentleman from Pennsylvania made the statement——

Mr. WILSON of Pennsylvania. Wait a minute——

Mr. MANN. I prefer to answer the gentleman's question in my own time. I beg the gentleman's pardon; I am perfectly willing to yield, however.

Mr. WILSON of Pennsylvania. I understood the gentleman had yielded.

Mr. MANN. I did not yield for a speech, although I am willing to do that if I can have my time extended.

Mr. WILSON of Pennsylvania. The gentleman who is now at the head of the Bureau of Mines, if I understand the situation rightly, never at any time had any connection with the Bureau of the Geological Survey in testing structural materials.

Mr. MANN. Well, the gentleman is entirely mistaken. The gentleman now at the head of the Bureau of Mines, who provided and organized the lobby that finally secured this testing machine and made appropriations for it from time to time, provided a machine for testing structural materials. Now, I ask the gentleman from Pennsylvania, who has more knowledge of these subjects than I have, if he thinks the machine is needed at all for the testing of structural materials?

Mr. WILSON of Pennsylvania. I do not think so.

Mr. MANN. Then the gentleman would say, in effect, that the providing of this machine in the first instance was not only a mistake but a crime.

Mr. WILSON of Pennsylvania. If I recollect distinctly, the recommendation which was made at the time was for a testing machine, not for the testing of structural materials.

Mr. MANN. The gentleman is mistaken. The appropriation was made for testing structural materials; it was not for the purpose of a testing machine at all. The gentleman now says that this machine is not needed for testing structural materials, and if that be the case the man who authorized the expenditure and expended a large sum of money to purchase a testing machine not needed out of an appropriation made for testing structural materials ought to be kicked out of the service.

Mr. WILSON of Pennsylvania. Mr. Chairman, the testing machine that is now in the Bureau of Standards has been erected since the commencement of this larger machine.

Mr. MANN. Now the gentleman is mistaken again. There is no such machine in the Bureau of Standards. The Bureau of Standards is now constructing a precision testing machine, which will have a testing capacity of 2,300,000 tons. This testing machine is a hydraulic machine, for the purpose of testing the strength of materials, with a capacity of 10,000,000 tons. Neither machine is yet constructed or in operation.

Mr. WILSON of Pennsylvania. Neither of them is in operation.

Mr. MANN. Nor fully constructed.

Mr. WILSON of Pennsylvania. I understand both are constructed.

The CHAIRMAN. The time of the gentleman from Illinois—— [Cries of "Vote!"]

Mr. MANN. Mr. Chairman, I ask for five minutes more.

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

Mr. MANN. Mr. Chairman, this question came up before the House last year. The House passed a bill providing for a Bureau of Mines, and, as I recollect, and if I am mistaken I will be glad to have my memory refreshed, the bill as it passed the House provided that the Bureau of Mines should have charge of the testing of structural materials. That provision was changed in the course of its progress of being a law and went out. Subsequently, after the bill had become a law, the question arose in the House as to whether the law as it passed creating a Bureau of Mines transferred from the Geological Survey to the Bureau of Mines the subject of testing structural materials. The matter, after various decisions of the matter at the time and at the time I was in the chair, was practically submitted to the House, and the House determined that it would not make the appropriation under the head of the Bureau of Mines for the testing of structural materials, and subsequently on another vote determined to make an appropriation for the testing of structural materials under the head of the Bureau of Standards.

Mr. FOSTER of Illinois. Repealed the law.

Mr. MANN. Wait a moment; that is the way the House voted. In conference or in the Senate there was this provision inserted making some change in the action that had been taken in the House repealing by that law what might impliedly have transferred from the Geological Survey to the Bureau of Mines the testing of structural materials, and my recollection is—and I am not perfectly sure about that; I was in the chair at the time—that I ruled that under the provisions of the act creating the Bureau of Mines it was in order to provide for the testing of structural materials, and it was also in order under the act creating the Bureau of Standards to provide in that bureau for the testing of structural materials.

In other words, the Chair then ruled that under either of these laws the item was in order for the testing of structural material in other branches of the service. In order to settle that question, the House took two votes upon it and then put a provision in the law attempting to repeal the provision transferring the testing of structural material to the Bureau of Standards. As far as I am concerned, I will say to the gentleman from Pennsylvania [Mr. WILSON] I believe this testing machine is needed in the Bureau of Standards. I do not disbelieve that a proper testing machine may be needed in the Bureau of Mines. I think that we can afford in these matters to provide both of these bureaus with all the instruments which they ought to have for the purpose of carrying on their work. We have engaged now in the testing of structural material, and we ought to provide the necessary instruments in the bureau that is engaged in that work. We have undertaken great work in connection with the mines of the country, and if they need a testing machine, and this one can not be used by both, then they ought to be provided with another testing machine. The expense is not a matter of great moment when great questions of investigation are involved. I am told that the machine can be used by both branches of the service. That remains to be seen after it is set in operation, and it seems the wise thing to do is to set it in operation. If it is needed by this bureau, let them have it; if it is not needed by this bureau, transfer it to the other bureau. If both bureaus need a machine, give each one of them a machine.

Mr. THOMAS of North Carolina. I want to ask the gentleman if it is not his understanding that this machine was to be used by the Geological Survey. Is not that correct? I want to get this matter straight.

Mr. MANN. There was no understanding about it. The Geological Survey commenced the construction of this machine.

Mr. THOMAS of North Carolina. Exactly. Now, was not that machine transferred by the act creating the Bureau of Mines originally to the Bureau of Mines, of which Dr. Holmes is now the head?

Mr. MANN. I will say to the gentleman that when I was in the chair a year ago, after a very careful examination of the subject, I then held, as Chairman, that it was not transferred, unless I am mistaken in my recollection.

Mr. THOMAS of North Carolina. That was your ruling, and——

Mr. MANN. And was sustained by the House.

Mr. THOMAS of North Carolina. And was sustained by the House, but the understanding of many of the Members of the House at that time was that the machine was to be transferred from the Geological Survey to the Bureau of Mines. I think the gentleman from Pennsylvania [Mr. WILSON] is mistaken about the use of the machine. I think it is exceedingly valuable in testing building materials for public buildings throughout the country and materials for the Panama Canal, and, whether it is placed under the Bureau of Mines or the Bureau of Standards, I think it is essential to complete it.

Mr. MANN. It is now admitted that the testing of structural material is in the Bureau of Standards by the action of Congress at last session. By the ruling of the Chair at that time it was held you could put it in there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS of North Carolina. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. THOMAS of North Carolina. Mr. Chairman and gentlemen of the committee, I think we have thrashed this matter out pretty thoroughly in the last half hour's debate, but I want simply to reply to one or two suggestions that have been made by the gentleman from Illinois. I do not think we ought to strike this item out. I think this machine ought to be com-

pleted, whether it is to be under the Bureau of Standards or the Bureau of Mines. I think, however, that it would be best for it to go to the Bureau of Mines. I believe that was the original intent of Congress, namely, that it should be transferred from the Geological Survey to the Bureau of Mines; but whatever bureau it is under it ought to be set up in Pittsburg and ought to be completed.

The gentleman from Illinois [Mr. MANN] makes some vague allusions or insinuations about the gentlemen who originally authorized or recommended the setting up and installation of this machine—insinuations in regard to lobbying.

Mr. MANN. I said nothing about lobbying in any remark that I made.

Mr. THOMAS of North Carolina. I am glad that you have withdrawn it.

Mr. MANN. I made no vague allusions. I said that if so and so was the case, as charged by gentlemen on the floor of the House, so and so was the case.

Mr. THOMAS of North Carolina. Then I misunderstood the gentleman; but I do not want it to go into the RECORD that there was the slightest insinuation or suggestion here that the man at the head of the Bureau of Mines has done anything in this matter, or any other matters, than was his absolute duty. He is a former citizen of my State and most highly esteemed. He was appointed Chief of the Bureau of Mines by the President of the United States—your President—and he was appointed upon the recommendation of many of the best mining engineers in this country, and I believe he has had at heart the best interests of the United States Government and the best interests of the miners and the mines of the country. He is a man who has devoted a large part of his life to the question of the investigation of mine disasters.

Mr. TAWNEY. He has been in that business for years.

Mr. THOMAS of North Carolina. And I think that no such suggestions ought to be made about him which in any way might be construed as any reflection, as he has tried to do his duty toward the country and the mining interests of the country. I hope the gentleman did not mean to allude to him in any way.

Mr. MANN. Mr. Chairman, I did not intend, I said, to cast any reflection upon Mr. Holmes, the head of the Bureau of Mines. I have some opinions on that subject, which I might have expressed; but I carefully refrained from expressing my opinion as to his activities in reference to these matters.

Mr. THOMAS of North Carolina. I am glad to know that the gentleman had no reference to him.

Mr. GAINES. He was speaking entirely in a Pickwickian sense.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. WILSON of Pennsylvania. Division!

The committee divided; and there were—ayes 27, noes 36.

So the amendment was rejected.

Mr. GILLETT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 168, in line 9, after the word "dollars," insert the words "to be immediately available."

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

The Clerk read as follows:

Toward the construction of a fireproof laboratory to provide additional laboratory space, to cost not exceeding $200,000, under a contract which is hereby authorized therefor, $50,000.

Mr. FOSTER of Illinois. I reserve the point of order on the paragraph. Is this a new fireproof laboratory you are authorizing?

Mr. GILLETT. Yes.

Mr. FOSTER of Illinois. What is the necessity for the appropriation?

Mr. GILLETT. It is due to the large growth of business that has come there, and the director tells us the electrical works now occupy three-fourths of the space, and it is disturbing all the other work in the laboratory. The laboratory work is very much crowded, and this is to provide a laboratory so that the electrical work can be by itself and the chemical work can be put by itself.

Mr. FOSTER of Illinois. The electrical work is in the same building, and this for a separate building? Do you think it is necessary to have that separate building?

Mr. GILLETT. We think so.

Mr. FOSTER of Illinois. Is this growth due to the enlargement of the plant that is required to do the testing?

Mr. GILLETT. It is an enlargement of the plant, which, as the gentleman appreciates, has been going on for years.

Mr. TAWNEY. If my colleague will permit me, I will state that the growth of the business of the Bureau of Standards is due largely to the efficiency of its work, and the knowledge of that efficiency on the part of the various branches of industry that employ that bureau for purposes of furnishing standards.

Mr. FOSTER of Illinois. This building is to cost $200,000?

Mr. TAWNEY. Yes, sir; and it is absolutely necessary to keep up with the work. Electrical engineering is a science, as the gentleman from Illinois knows, that has been growing very rapidly, and this bureau ought to stand right in the forefront of the development of that science.

Mr. FOSTER of Illinois. That is satisfactory. I withdraw the point of order.

The Clerk read as follows:

For rent of buildings and parts of buildings in the District of Columbia for the use of the Department of Commerce and Labor, $50,000.

Mr. MOORE of Pennsylvania. I move to strike out the last word.

Mr. Chairman, I desire to say a few words which I think are appropriate to this paragraph. A few days ago, upon the coast of Massachusetts, outside of Cape Cod, 17 lives of men, some of whom resided in my district in Philadelphia, were lost from barges carrying coal from the mines of Pennsylvania to the New England market. These barges were in tow of a tug, in an alignment which some of the revenue-cutter officials, and some of the sailing masters as well, regard as dangerous to navigation. The barges were such barges as might very readily have gone through inland waterways, such as we have recently earnestly advocated along the Atlantic seaboard.

I have here an estimate of the engineer in charge of the district centering at Boston showing that an inside passageway from Plymouth to Taunton River, at a depth of 18 feet, sufficient to accommodate these particular barges, might be constructed for $28,429,000. This sum, it seems to me, is a mere bagatelle to the Government of the United States when considered in relation to the construction of a waterway that would save the lives and the property of the people necessarily engaged in commerce. Statistics show that on the shoals about Cape Cod, through the fogs and storms that prevail there, more than 1,000 wrecks have occurred, costing upward of 500 lives, during the last quarter of a century.

In view of these facts, Mr. Chairman, I ask that I may be permitted to extend my remarks upon this subject in the RECORD.

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

The Clerk read as follows:

United States Commerce Court: Expense allowance for judges at rate of $1,500 per annum each, $7,500; clerk, $4,000; deputy clerk, $2,500; marshal, $3,000; deputy marshal, $2,500; for rent of necessary quarters in Washington, D. C., and elsewhere, and furnishing same for the United States Court of Commerce; for necessary traveling expenses of the court, its officials and employees; for books, periodicals, stationery, printing, and binding; for pay of bailiffs and all other necessary employees at the seat of government and elsewhere, not otherwise specifically provided for, and for such other miscellaneous expenses as may be approved by the presiding judge, $75,000; in all, $94,500.

Mr. GOLDFOGLE. I reserve a point of order to that paragraph.

The CHAIRMAN. The gentleman from New York reserves the point of order to the paragraph.

Mr. GOLDFOGLE. I should like to inquire of the gentleman from Minnesota [Mr. TAWNEY] or of the gentleman from Massachusetts [Mr. GILLETT] how the sum of $75,000 comes to be fixed as a lump sum for these general expenses.

Mr. GILLETT. That was the sum recommended to us as necessary.

Mr. GOLDFOGLE. Is that the only information the committee has to give?

Mr. GILLETT. That is the only information that I recollect.

Mr. MANN. The gentleman speaks of a lump sum. It covers the expenses and allowances of the judges, and I suppose their salaries, does it not?

Mr. GOLDFOGLE. No; their salaries are provided for elsewhere.

Mr. MANN. They are allowed $1,500 a year each expenses when in the district.

Mr. GOLDFOGLE. That is independent of the $75,000 lump sum. In other words, they are allowed their personal expenses, at $1,500 each, and then there is allowed an additional lump sum of $75,000, to be paid to employees not specified or numbered and for other general expenses unknown to this body.

Mr. MANN. Absolutely unknown, because the court has not yet been organized. This provides for the payment of the services in the clerks' offices, in the marshals' offices, and the law creating this court provided that it might hold sessions any-

where in the United States. Of course, in making the appropriation we have to take into consideration that the court may have to go to San Francisco or to New York and various other places; and while it is not probable that such an amount of money will be expended, because the court probably will not go to all these places, still it is quite essential in making the appropriation that there be a sufficient amount appropriated to permit the court to carry out the law that was passed by Congress.

Mr. GOLDFOGLE. That does not touch the matter of the appointment of employees without specifying what employees they shall be, what particular kind of office they shall occupy, what number of employees may be engaged.

Mr. MANN. It touches the question of the amount of this appropriation, however.

Mr. GOLDFOGLE. It opens the way to further general appropriations, making the presiding judge of the court the person who is to determine what force of employees they shall have and how much they shall pay to them and for what that so-called miscellaneous expenses shall be paid out.

Mr. MANN. Oh, the force that will be employed by this court, as far as clerks and marshals are concerned, will probably be very small and likely not increased over the statutory provision. There will not be very much business for this court here, but the court may be required to travel.

Mr. GOLDFOGLE. That would affect traveling expenses only.

Mr. MANN. It is required to make preparations, and proceed with the organization of the court. Now, the court is not yet organized. No one can tell precisely the amount that ought to be appropriated.

Mr. GOLDFOGLE. You can provide for two or three clerks now, and by future legislation you can provide for an increased force, if that should become necessary.

Mr. MANN. Will the gentleman from New York tell us how many clerks they will need?

Mr. GOLDFOGLE. I do not think they will need many.

Mr. MANN. That is hardly an answer to the question.

Mr. GOLDFOGLE. If the gentleman will refer back to the debate when the question of the creation of the Commerce Court was before us he will be able to determine, as well as the gentleman from New York, that the court will not need many clerks.

Mr. MANN. I just stated a moment ago that in my judgment the court would not require many clerks, but I will also state now that no one can tell just how many will be required, or just how much service will be required, either. It is an absolute impossibility to tell.

Mr. GOLDFOGLE. You have already provided for the clerks.

Mr. MANN. The court will require a library to be paid out of this item.

Mr. GOLDFOGLE. You have provided for a clerk, a deputy clerk, a marshal, and a deputy marshal, and quarters and library for the court. Now, you say in the bill "employees in Washington and elsewhere." We ought to know what kind of employees are to be appointed; we ought to know the limit of the number of employees.

Mr. GILLETT. The gentleman from New York is mistaken when he says that we have provided for rent. This item provides not only for rent, but for the furnishing of the quarters. The gentleman seems to think that the main part of this item is for employees; he is greatly mistaken. They are going into new quarters.

Mr. GOLDFOGLE. What does the gentleman mean by "miscellaneous expenses?"

Mr. GILLETT. How can you tell what miscellaneous items they will require in going into new quarters and furnishing them and getting ready? Last year we made provision for the Customs Court, and we gave them $40,000 to get into the new quarters and furnish them. This year they came in and asked to have that cut down to $23,000. The gentleman from New York will appreciate that any court in organizing and getting into new quarters and furnishing them, that little details are liable to arise, and you can not always tell what may be necessary. I think you can trust the court not to be extravagant. The committee took the estimate of the Attorney General. Next year we will have a statement from the court of what has been expended, and then we can tell what will be necessary to appropriate. I do not think it is extravagant, and I have no doubt that next year, after they have the quarters furnished, we will have specific items as to what it has cost, and we can regulate our appropriations by that. This year we must necessarily be largely groping, and, as I say, we followed the recommendations made by the Attorney General.

Mr. GOLDFOGLE. Does not the gentleman from Massachusetts think it is better to treat the court as we have treated other courts, by first determining for ourselves the number of employees that they shall have and the amount that shall be expended? If this item remains in the bill as it is, you can provide in the future any amount of money, and there will be difficulty in the way to limit them when it comes to passing future appropriation bills, because a point of order would not lie.

Mr. GILLETT. Oh, yes, it would; a point of order will lie just as much next time as it will now. We will have absolute authority over this. I think this appropriation is a wise one. There is nobody that can tell exactly what they will require. I think it is right to leave it at the discretion of the court, just as we did last year with the Court of Customs, and with the result that they did come in the second year with a very large reduction. I think the gentleman from New York is mistaken if he thinks the last part of this item is for personal service. I think the great bulk of this will be for rent and furnishing of the new quarters, the details of which we can not give.

Mr. GOLDFOGLE. I think the committee should have had at least some information to give of the main items that enter into the lump sum of $75,000.

Mr. MANN. I would like to know how the gentleman could get the information. The court is not yet organized, and there is nobody to give the information.

Mr. GOLDFOGLE. Oh, yes; there is a way to approximately fix the number of employees, and then if you needed more you could get legislation for more.

Mr. MANN. We might have put it into the railroad bill, but that would have been a very foolish thing to do.

Mr. GOLDFOGLE. Mr. Chairman, I make a point of order against that part of the paragraph beginning on page 174, line 2—

> For pay of bailiffs and all other necessary employees at the seat of government and elsewhere not otherwise specifically provided for, and for such other miscellaneous expenses as may be approved by the presiding judge, $75,000.

In this connection I suggest that conferring power on the presiding justice to fix compensation to employees, regulate traveling expenses, and fix the number of employees alters existing law. Such things, under the law, now must be done by this House.

Mr. MANN. Mr. Chairman, the items to which the point of order is made are:

> For pay of bailiffs and all other necessary employees at the seat of government and elsewhere not otherwise specifically provided for, and for such other miscellaneous expenses as may be approved by the presiding judge, $75,000.

As to the employees, the law provides in section 1 of the act creating the Commerce Court:

> Said clerk and marshal may, with the approval of the court, employ all requisite assistance.

I do not lay my hand on the other provisions in reference to expenses, but it is quite certain that in the creation of the court and the provision that there shall be a court Congress intends to authorize at least certain miscellaneous expenses. Without these it would be impossible for the court to have either pen or ink. It would be a very inconvenient matter, I think, to provide for a court and provide nothing for the care of the court. The very creation of a court carries with it the idea that it may have various miscellaneous expenses, such as I have referred to—possibly towels and soap. They might not be necessary in some places of the country, but still they are considered the proper thing in Washington. Also, on page 676 of the book which the Chair has at the desk, in section 1 of the bill, it is provided that the actual and necessary expenses of the judges, clerk, marshal, deputy clerk, and deputy marshal of the court incurred for traveling and attendance elsewhere than in the city of Washington, shall be paid upon the written and itemized certificate of such judge. I think there was no point of order made on that part of it, however.

Mr. GOLDFOGLE. Mr. Chairman, the Chair will find nothing in the law which authorizes these miscellaneous expenses. The Chair will find nothing in the law that authorizes the payment of expenses other than those provided for in the law, to which attention is called by the gentleman from Illinois. Nor will the Chair find anything in the law which authorizes or justifies the court or any of its justices to fix the amounts of compensation to employees; and when the gentleman from Illinois says that Congress intended to provide something for a court that is to be authorized he simply admits that there is no existing law that justifies this provision in the appropriation bill.

Mr. GILLETT. Does not the gentleman think the court ought to have some money for miscellaneous expenses?

Mr. GOLDFOGLE. I think that if you framed a provision with a reasonable amount and gave us the information to which we, as legislators, are entitled, I would not be making this point of order; but in the absence of proper information from the committee I raised this point of order under the rules of the House.

Mr. GILLETT. I do not know where we could get the information, inasmuch as there is no court in existence now.

Mr. GOLDFOGLE. Oh, you have legislated before for new courts, you have legislated for bureaus to be instituted, and usually this committee has given satisfactory information or has indicated in some way what would be reasonable, but it has not lumped things in this general way and then declined information.

Mr. GILLETT. What does the gentleman think would be a reasonable sum for miscellaneous expenses?

Mr. GOLDFOGLE. I am not prepared, while this point of order is pending, to answer that question.

Mr. MANN. Mr. Chairman, the law provides that the Commerce Court shall be open for the transaction of business at a date to be fixed by the order of said court, which shall be not later than 30 days after the judges thereof shall have been designated.

Mr. GOLDFOGLE. Does that give power to the justice to fix the expenses of the court and to regulate the number of employees and provide for their salaries?

Mr. MANN. It is quite certain that the court can not be opened for business without the expenditure of some money in preparing for that purpose. If there be any objection to this paragraph at all it is because it specifies instead of making a mere lump-sum appropriation for expenses for this court. I take it that it goes without saying that the court authorizes those necessary expenses for the creation of a court.

It would be absurd to say that when we create a court or bureau of the Government it is necessary in the act to provide that they shall have pencils or pens and ink to carry on the business or to do the writing necessary in such department or court.

The CHAIRMAN. Does the gentleman desire to be heard further?

Mr. MANN. I think not.

The CHAIRMAN. The Chair finds in the organic act establishing this court and bearing on the question the following:

And the said clerk and marshal may, with the approval of the court, employ all requisite assistance.

An appropriation to carry out that object could unquestionably remain in, but here——

Mr. MANN. I would like to call attention of the Chair to this question. The word "assistance" is not spelled "ts," meaning persons.

The CHAIRMAN. Here the provision specifies bailiffs, and the provision further gives the presiding judge power to fix salaries and confirm appointments, and the Chair is of the opinion that that is new legislation, and sustains the point of order.

Mr. MANN. I did not hear the last statement of the Chair.

The CHAIRMAN. That this is new legislation.

Mr. MANN. But I did not hear the Chair's expression as to the portion of this that was new legislation.

The CHAIRMAN. That which specified the employment of bailiffs; that which gives the presiding judge authority to fix salaries. The Chair sustains the point of order.

Mr. GILLETT. Mr. Chairman, I offer as an amendment, in line 2, in place of what is stricken out, "for all requisite assistance and miscellaneous expenses, $75,000."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 174, line 2, after the semicolon, insert "for all requisite assistance and miscellaneous expenses, $75,000."

Mr. GOLDFOGLE. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. Will the gentleman from New York state the point of order?

Mr. GOLDFOGLE. I will state my point of order if insisted upon. First, reserving the point of order, I desire to ask whether the gentleman from Massachusetts desires to retain the other language in this paragraph of the bill. I notice by his amendment that he does not ask to strike out the other language.

The CHAIRMAN. The Chair will state to the gentleman from New York that all after the word "for," in line 2, page 174, has already gone out of the paragraph on the point of order.

Mr. GOLDFOGLE. Then I raise the point of order that it changes existing law; that while "requisite assistants" provided for in the act creating the Commerce Court may be appropriated for, there is nothing that authorizes the payment of miscellaneous expenses.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. GILLETT. Mr. Chairman, I understand the Chair's ruling before was that miscellaneous expenses was not subject to the point of order.

The CHAIRMAN. The Chair did not refer to that.

Mr. GILLETT. It seems to me that under the constitution of a court it necessarily follows that there must be some authority for miscellaneous expenses for details, such as paper, and so forth.

Mr. GOLDFOGLE. Why does not the gentleman provide for that? I wish to be perfectly fair to this new court, and I wish to be perfectly fair to the committee. Frame a proper amendment, and you will find no objection coming from me. When you talk about stationery, put that in if you like; if you talk about printing, put that in of you like. But it is already there.

Mr. GILLETT. As I understand, the gentleman's objection is that I do not limit it?

Mr. GOLDFOGLE. Why do not you limit miscellaneous expenses?

Mr. GILLETT. Because we do not know the first thing what it will be. I will strike out the word "miscellaneous" if the Chair rules that is subject to the point of order.

The CHAIRMAN. The Chair has not ruled.

Mr. GILLETT. Mr. Chairman, it seems to me in the formation of a court that it necessarily follows that provision for the miscellaneous expenses, without which the court can not carry on its business, must be allowed. You can not expect that the organic act is going into such details as to say that the court may use money for miscellaneous expenses.

Mr. GOLDFOGLE. May I call the attention of the gentleman from Massachusetts to this, that there is nothing stricken out of this bill that provides for books, for periodicals, for stationery, for binding, or printing? That remains in, as it should. My point of order does not touch it.

Mr. GILLETT. Mr. Chairman, I would like to modify my amendment by striking out the word "miscellaneous."

The CHAIRMAN. Without objection, the amendment will be modified as indicated by the gentleman from Massachusetts, and the question is on agreeing to the amendment.

Mr. GOLDFOGLE. Mr. Chairman, I move to amend by striking out "seventy-five thousand" and inserting in lieu thereof "thirty-five thousand."

The CHAIRMAN. The gentleman from New York offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out "seventy-five" and insert "thirty-five," so as to read "$35,000."

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

Mr. MANN. Mr. Chairman, I do not desire to detain the House on this subject at all. Everybody knows that I was not partial to the creation of a Commerce Court. That court has been created, however, and there is no court in the land under the Supreme Court of greater importance than it. What its expenses may be no one can tell. The court may be called at any time to San Francisco to hear a case, or to any other part of the country. If it is composed of honorable gentlemen, as it undoubtedly will be, we can surely afford, if we intrust to them the greatest powers given to any court in the land outside of the Supreme Court, to trust to them the expenditure of $75,000, and presume that so much of it as is expended will be expended honestly.

Mr. GOLDFOGLE. Mr. Chairman, let us look at the amendment. The amendment provides for "requisite assistants, to be appointed by the clerk." Surely the sum of $35,000 is a generous amount to appropriate for "requisite assistants" to be appointed by the clerk of that court.

Mr. MANN. Will my friend yield for a question?

Mr. GOLDFOGLE. Certainly.

Mr. MANN. The gentleman understands this amount covers the rent of quarters in the District?

Mr. GOLDFOGLE. Why, no; I am considering the amendment, and the amendment only, offered by the gentleman from Massachusetts, and the only thing before us now is to provide for the expense of the "requisite assistants."

Mr. MANN. The gentleman is mistaken. The amendment offered by the gentleman from Massachusetts is an amendment to the text of the bill, and in connection with the text of the bill the amount that is appropriated covers rent of necessary quarters in Washington and furnishing the same, and not only

the rent, but the furnishing of the court room, the necessary traveling expenses of the court, books, which means a library, and so forth. They are all covered in this amount.

Mr. GOLDFOGLE. And $35,000, in the light of what we appropriate for other courts, seems to be, at least at the present time, sufficient. If subsequently it appears that $35,000 is not enough to pay for these items, we can readily increase that amount, but for the present, and in the absence of any information as to what is required for the court, it seems to me that $35,000 will be ample. We are asked to give to this court a larger sum than we give proportionately to the other tribunals having much more work to do than this Commerce Court will have to perform.

Mr. MANN. The Commerce Court will not be subject to blame because they will not have much work to do. They did not create themselves. Congress ought to provide them with quarters and furnish them in order to let them proceed. What the gentleman ought to do is to introduce a bill to repeal the provision of the law creating the Commerce Court.

Mr. GOLDFOGLE. Why does not the gentleman from Illinois, who is busy night and day preparing bills, prepare such a bill?

Mr. MANN. "The gentleman from Illinois" may be busy night and day, and still I observe the gentleman from New York is not always on the floor when the gentleman from Illinois is.

Mr. GOLDFOGLE. I miss the gentleman from Illinois on some occasions when I would like to see him here.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment offered by the gentleman from New York [Mr. GOLDFOGLE].

Mr. GILLETT. Just one word. The gentleman says that we ought to appropriate $30,000, and if that is not sufficient to appropriate more.

Mr. GOLDFOGLE. It provides for $35,000.

Mr. GILLETT. Ought we not to go just the other way? The man who is going to be the chief justice of this court has been on a court which has a million of dollars every year which they could use for this purpose, which Congress has trusted them with, and we have never complained that they have misused it. I do not think there is any danger that the court is going to misappropriate the amount.

The CHAIRMAN. The question is on the amendment to the amendment.

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

Mr. GOLDFOGLE. Division!

The committee divided; and there were—ayes 7, noes 33.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

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

The Clerk read as follows:

SEC. 2. The pay of telephone-switchboard operators, assistant messengers, firemen, watchmen, laborers, and charwomen provided for in this act, except those employed in mints and assay offices, unless otherwise specially stated, shall be as follows: For telephone-switchboard operators, assistant messengers, firemen, and watchmen, at the rate of $720 per annum each; for laborers, at the rate of $660 per annum each; assistant telephone-switchboard operators, at the rate of $600 each; and for charwomen, at the rate of $240 per annum each.

Mr. MANN. Mr. Chairman, I ask unanimous consent to recur to line 9, page 174, which purports to insert permanent legislation, for the purpose of striking out the words "United States" in front of the words "Commerce Court."

Mr. MARTIN of South Dakota. Mr. Chairman, I object. I think that is a very proper designation of the new court.

Mr. MANN. The law fixes the designation.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to recur to line 9, page 174. Does the gentleman from South Dakota object?

Mr. MARTIN of South Dakota. I do, Mr. Chairman.

The Clerk read as follows:

SEC. 3. That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons incapacitated otherwise than temporarily for performing such service, and the heads of departments shall cause this provision to be enforced.

Mr. HOBSON. I move to strike out the last word, Mr. Chairman, for the purpose of making a few remarks on the question of providing for the United States Commissioner of Education, and to say that I believe that at a very early time measures should be taken to increase the already great usefulness of the Bureau of Education. I had in mind particularly the work bearing upon elementary education, and that part of elementary education which bears upon vocational instruction. I simply desire to call attention to the fact that 95 per cent or more of all the people in the United States never go beyond elementary studies, and that in almost all cases this fails to instruct them in the duties of citizenship, home economics, and vocational studies, and that along this line the country in its policy heretofore has been wanting. The National Government and individual philanthropists have made ample provision from time to time for encouraging and developing higher education, but thus far have neglected to provide for the development of education of the masses of the people in the weakest link in our system.

I ask unanimous consent to extend my remarks on this general subject in the RECORD.

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

Mr. HOBSON. Now, Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 176, at the end of line 10, add: "*Provided*, That no part of the appropriations herein made shall be expended for the purpose of influencing the market value of cotton, wheat, or any other produce, commodity, or property."

Mr. GILLETT. I make the point of order against the amendment.

The CHAIRMAN. Does the gentleman from Alabama want to be heard on the point of order?

Mr. HOBSON. I do.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOBSON. The amendment is a limitation upon the appropriations made, pure and simple. It is in every respect bearing directly upon the appropriations previously referred to in the first part of the section. I do not think, if the gentleman himself will have the amendment repeated, or read it, that he will undertake to make such an extraordinary point.

Mr. GILLETT. How is it germane to this paragraph?

Mr. HOBSON. This paragraph affects the appropriations that have been made, and that the gentleman did not state his point of order.

Mr. GILLETT. I made the general point of order. I did not make it on any particular ground.

Mr. HOBSON. If the gentleman will read the paragraph, he will see the whole paragraph deals with appropriations herein made, and the amendment specifies in this particular clause how it may not be used.

Mr. MANN. Will the gentleman yield to a question?

Mr. HOBSON. Certainly.

Mr. MANN. Is the effect of the gentleman's amendment to limit the appropriations used in the Department of Justice the coming year in carrying on any prosecutions for bucket shopping? Is that the purpose?

Mr. HOBSON. I will say that the gentleman contends nothing of the kind. I will discuss the effect that it will have as soon as the point of order is settled. I will be able to tell the gentleman the effect of it.

Mr. MANN. Would not that be the effect of the amendment?

Mr. HOBSON. I will assure the gentleman that it will have no such effect. It will have no such effect unless the various departments join in "bulling" and "bearing" the market.

Mr. MANN. Would it not have the effect of putting a limitation upon the appropriations in this bill and so prevent any money being paid by way of salary to any official of the Department of Justice engaged in endeavoring to prevent bucket shopping?

Mr. HOBSON. On the contrary, it would not have that effect unless the purpose of that work was to affect the market value.

Mr. MANN. The purpose of bucket shops is to promote speculation, and thereby affect the market.

Mr. HOBSON. But the purpose of the United States Department of Justice is not supposed to be that.

I am quite sure gentlemen here will not accuse me of having ever undertaken on this floor to make political capital out of any local conditions——

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

Mr. HOBSON. This is a question of order.

The CHAIRMAN. The gentleman is not discussing the point of order, as the Chair understands.

Mr. HOBSON. I certainly am; but I was interrupted while discussing the point of order.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Mr. HOBSON. Then I will discuss the merits after the ruling.

The CHAIRMAN. The Chair thinks that this is a proper limitation on appropriations and is germane to section 3, and therefore overrules the point of order.

Mr. HOBSON. Mr. Chairman, I am sure there is no Member of this body who will be inclined to accuse me of having attempted to make political capital on this floor out of any local conditions; but if gentlemen will recall they will remember that there was a joint resolution (H. J. Res. 228), which passed this House, calling upon the Attorney General for certain information, specifying that information. The first part of the information was with regard to the prosecution of parties who were alleged to have conspired to buy cotton to raise the price. This called for information as to whether any investigation or any prosecution had been undertaken against other parties to that same contract, or similar contracts, who had conspired to sell cotton to lower the price. The answer of the Attorney General is here before me and is a public document. The Attorney General replies to the first question. He gives the first information required, but fails absolutely to state whether he even took notice of the fact that there were two sides to the contract, against which there was alleged conspiracy.

Now, Mr. Chairman, I come from a section that raises a world staple. It happens to be my section; but I am a citizen of a Nation that produces a world staple. Sixty per cent of that world staple is marketed abroad. Only 20 per cent is consumed in what has heretofore been known as the manufacturing part of America—in New England. Sixty per cent is sold abroad. Any action on the part of this Government that would tend to depress the price of that staple is a blow at the commercial standing of the Nation. Now, I will illustrate it in this way: To-day they are quoting cotton to be delivered next October, cotton which has never been planted.

It is known that the demand will be enormous, absolutely beyond the possibilities of being met by the existing supply. Without knowing anything about what the supply will be at that time, cotton is quoted at from $5 to $10 a bale below the price at which cotton for delivery next July is quoted. This can have no other purpose than to lower the price of cotton. That has been done, to my knowledge, for many years, and I have information that for 15 or 20 years it has been going on, a process under which the price of cotton has been beared and put down until after it has left the hands of its producers, left America and been purchased by the spinners of the world.

About two years ago there seemed to be a rally of capital behind men who knew the market conditions, as judged by the law of supply and demand, and when cotton was offered at $15 to $20 a bale below what they practically knew would be the value of it the following year, these men began to accept these offers, but when the time came for delivery and they asked for their cotton, at once measures were taken by the United States Government against them. I am not speaking lightly or loosely, and I say that measures were almost at once taken to put every buyer of cotton of that class under fear. I do not say it was intentional, but I do say that the time has come when we should provide—as we do provide by this amendment, which can not be adequately discussed now, but may be discussed at some future time—that no part of this appropriation shall be used for the purpose of affecting the market, whether up or down. If there is no intention or practice of wrong on the part of the Department of Justice, there can be no reflection upon that department and no restraint of it, and I do not believe that any gentleman here ought to object to this amendment being adopted.

Mr. TAWNEY. Will the gentleman explain in what way this or any other appropriation in this bill has been used for the purpose of affecting the market price of wheat, cotton, or any other agricultural product?

Mr. HOBSON. If the gentleman will take the pains to read the reply of the Attorney General he will find——

Mr. TAWNEY. I want to ascertain, if possible, in what way the Department of Justice, or any other department having appropriation in this bill, has used that appropriation in the past for the purposes of influencing the market price of any product mentioned in the gentleman's amendment.

Mr. HOBSON. I would not undertake to accuse the Department of Justice of having such a purpose; that is not the object of the amendment.

Mr. TAWNEY. If that is true, and the money has not heretofore been used for that purpose——

Mr. HOBSON. I did not say the effect was not that.

Mr. TAWNEY. I will ask whether it is wise to legislate in a general way in the form of a limitation upon appropriations that the gentleman is not willing to admit have in the past been used for the purpose he wants to create.

Mr. HOBSON. But the gentleman from Minnesota put his question in such a way I could not answer it. If he asked me whether the machinery of the Department of Justice had had that effect, I answer that it has; that it has cost the Southern States within the last two years $75,000,000, and it has cost America fully $50,000,000.

Mr. TAWNEY. Does the gentleman refer to the so-called espionage cases that have been carried on throughout the South?

Mr. HOBSON. I am referring to the prosecutions of the so-called bulls, and the methods of those prosecutions. I will not undertake, under these circumstances, to go further into it, but the effect has been as I stated, and the time has come when there should be something going out from this body that when we are appropriating for the machinery of any great department of this Government that department shall not leave its legitimate function and become a speculating factor in the stock market, and particularly when it actually affects the Nation. It is not a local measure. I pointed out that 60 per cent of the staple goes abroad, and 20 per cent of the consumption in one section of this country ought not to be able to come down and control the machinery of this Government and make it a bear where the Nation ought to be a bull. I am not asking that the Nation should be a bull, but I am asking that the department of the Government shall not be prostituted for the purpose of gambling in the stock market. If it has not done it before, then there is no reflection upon it; if it has no intention of doing it, there is no further reflection and no harm done by the amendment.

Mr. MANN. Will the gentleman yield for an interruption?

Mr. HOBSON. Certainly.

Mr. MANN. There were some prosecutions commenced, as I recall, in reference, as the gentleman says, to an attempt to corner the market in wheat or corn or cotton.

Mr. HOBSON. The Attorney General states that no prosecutions have ever been undertaken to his knowledge against those who cornered the wheat market or any other market, and, furthermore, fails to state, and therefore by implication has nothing to state, as to whether they have ever undertaken to prosecute those who are engaged in bearing the market.

Mr. MANN. What I want to get at is the opinion of the gentleman himself as to the effect of the amendment. Would this amendment prevent the Attorney General from prosecuting an attempt to corner the wheat market?

Mr. HOBSON. It would not prevent the Attorney General from doing anything that was legitimate where there was a conspiracy in restraint of trade, or to depress or raise the market; it would have no effect whatever.

Mr. MANN. I understood the gentleman to say that there were prosecutions for attempting to bull the cotton market.

Mr. HOBSON. An alleged attempt; there were prosecutions.

Mr. MANN. Would this amendment of the gentleman prevent those prosecutions?

Mr. HOBSON. Not in the slightest.

Mr. MANN. Then what is the purpose of the gentleman's amendment?

Mr. HOBSON. The purpose is very clear to me. These prosecutions were found last July. Now, I can not question the motive. They were apparently kept back until the new crop of cotton—I do not say intentionally—was being marketed. Then they were made public, with the result of putting down the price of cotton.

Mr. MANN. This amendment would prevent the action that was taken.

Mr. HOBSON. It would have no effect upon legitimate prosecutions, but it would make them careful not to choose times for making public their intentions when the probable effect of such action would be to depress the market.

Mr. MANN. Then what in the world is the use of talking about that?

Mr. HOBSON. I will tell the gentleman. It is that when in the future the Government undertakes to prosecute one party to a contract it will undertake to prosecute the other party. The men under prosecution had a contract with certain spinners to take cotton. For making these contracts they have been prosecuted, but the spinners have not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. The effect of this amendment would be to prevent the Government from prosecuting one party for a violation of the law unless it managed to get them all in.

Mr. HOBSON. No; it would prevent the department from abusing the administration——

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

The question was taken; and on a division (demanded by Mr. HOBSON) there were—ayes 21, noes 37.

Mr. HOBSON. Mr. Chairman, I desire tellers.

Tellers were ordered, and the Chair appointed Mr. HOBSON and Mr. GILLETT to act as tellers.

The committee again divided; and the tellers reported—ayes 31, noes 51.

So the amendment was rejected.

The Clerk resumed and concluded the reading of the bill.

Mr. GILLETT. Mr. Chairman, I move that the committee do now rise and report the bill, with the amendments, to the House.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 29360, the legislative, executive, and judicial appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GILLETT. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MANN. Mr. Speaker, I ask for a separate vote on two amendments, on page 18, relating to the assistant in charge of the bathrooms and the sale of the bathroom furniture in the House Office Building.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the vote will be taken on the amendments en gross.

The question is on agreeing to the amendments, except those as to which a separate vote is demanded.

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

The SPEAKER. The Clerk will report the first amendment as to which a separate vote is demanded.

The Clerk read as follows:

Page 18, strike out in lines 8, 9, and 10 the following language: "Assistant in charge of bathroom, $1,400; seven laborers in bathroom, at $900 each."

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

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

At the end of line 20, on page 18, insert: "The Superintendent of the Capitol is directed to dispose of the bathtubs and furnishings in the House Office Building, and turn the proceeds of the same into the Treasury.

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

The question was taken, and the amendment was rejected.

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

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

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

FORTIFICATION OF THE PANAMA CANAL.

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

I forward herewith a letter from the Secretary of War, inclosing the report of the board of officers of the Army and the Navy appointed by him to consider the subject of the defense of the Panama Canal. A preliminary report of this board, together with a letter of the Secretary of War, a resolution of the Joint Board, and estimates of cost, were forwarded to Congress by me by letter dated April 29, 1910. No appropriation, however, has yet been made for the initiation of work on the proposed defenses.

The canal, when completed, will afford the only convenient route for water communication between our Atlantic and Pacific coasts, and virtually will be a part of the coast line of the United States. Its assured possession and control will greatly contribute to our peace, safety, and prosperity as a Nation. In my judgment it is the right and the duty of the United States to fortify and make capable of defense the work that will bear so vital a relation to its welfare, and that is being created solely by it and at an expenditure of enormous sums.

I have authorized the submission through the Secretary of the Treasury of the revised estimate for appropriations referred to in the accompanying letter of the Secretary of War, which estimate is less than the original estimate by approximately one-third, and I urgently recommend that an appropriation of $5,000,000 for the initiation of work on the proposed defenses be made at the present session of Congress, in order that these defenses may be completed by the date of the completion of the canal.

WM. H. TAFT.

THE WHITE HOUSE, *January 12, 1911.*

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. TURNBULL for three days, on account of important business.

DEATH OF THE LATE SENATOR CHARLES J. HUGHES, JR.

Mr. TAYLOR of Colorado. Mr. Speaker, it is with deep personal sorrow and a profound sense of the public loss, not only to the Nation but especially to the West, that I arise to perform the sad duty of announcing to the House the death of the Hon. CHARLES JAMES HUGHES, Jr., late a Senator from the State of Colorado. He died at his home in the city of Denver yesterday. Owing to the long distance and the severe weather, the family have requested that the usual congressional committee be not appointed to attend the funeral, which will be held tomorrow.

I shall at some future time ask the House to designate a day upon which we can consider and pay a fitting tribute to his memory and his distinguished public services. And on behalf of the delegation from Colorado, I now offer the following resolutions (H. Res. 898), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. CHARLES J. HUGHES, Jr., late a Senator of the United States from the State of Colorado.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

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

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

The resolution was agreed to.

Accordingly (at 3 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Friday, January 13, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of Agriculture, transmitting a report of appointments, promotions, or changes in salaries, etc., in the department; to the Committee on Expenditures in the Department of Agriculture.

2. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for National Home for Disabled Volunteer Soldiers (H. Doc. No. 1284); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for dredging channel in San Pablo Bay, Cal. (H. Doc. No. 1285); to the Committee on Naval Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

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

Mr. FLOYD of Arkansas, from the Committee on War Claims, to which was referred House bill 178, reported in lieu thereof a resolution (H. Res. 899) referring to the Court of Claims the papers in the case of Thomas J. Wear, accompanied by a report (No. 1891), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 1102, reported in lieu thereof a resolution (H. Res. 900) referring to the Court of Claims the papers in the case of Edward H. Adams, deceased, accompanied by a report (No. 1892), which said resolution and report were referred to the Private Calendar,

He also, from the same committee, to which was referred House bill 1181, reported in lieu thereof a resolution (H. Res. 901) referring to the Court of Claims the papers in the case of J. F. Steel, accompanied by a report (No. 1893), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 9879, reported in lieu thereof a resolution (H. Res.

902) referring to the Court of Claims the papers in the case of Joseph E. Lindsey, accompanied by a report (No. 1894), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 18093, reported in lieu thereof a resolution (H. Res. 903) referring to the Court of Claims the papers in the case of the Baptist Church of Calhoun, Ga., accompanied by a report (No. 1895), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 18094, reported in lieu thereof a resolution (H. Res. 904) referring to the Court of Claims the papers in the case of the Damascus Baptist Church, Gordon County, Ga., accompanied by a report (No. 1896), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 18095, reported in lieu thereof a resolution (H. Res. 905) referring to the Court of Claims the papers in the case of the Oothcaloga Baptist Church, of Adairsville, Bartow County, Ga., accompanied by a report (No. 1897), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 18829, reported in lieu thereof a resolution (H. Res. 906) referring to the Court of Claims the papers in the case of James Hart, deceased, accompanied by a report (No. 1898), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 20445, reported in lieu thereof a resolution (H. Res. 907) referring to the Court of Claims the papers in the case of Edward Coke Johnson, deceased, accompanied by a report (No. 1899), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 21008, reported in lieu thereof a resolution (H. Res. 908) referring to the Court of Claims the papers in the case of J. J. Long, accompanied by a report (No. 1900), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 25299, reported in lieu thereof a resolution (H. Res. 909) referring to the Court of Claims the papers in the case of A. L. Maxwell, accompanied by a report (No. 1901), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 27029, reported in lieu thereof a resolution (H. Res. 910) referring to the Court of Claims the papers in the case of A. J. Ward, deceased, accompanied by a report (No. 1902), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 27055, reported in lieu thereof a resolution (H. Res. 911) referring to the Court of Claims the papers in the case of Edward Bedsole, deceased, accompanied by a report (No. 1903), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 28384, reported in lieu thereof a resolution (H. Res. 912) referring to the Court of Claims the papers in the case of J. Will Morton, accompanied by a report (No. 1904), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 29087, reported in lieu thereof a resolution (H. Res. 913) referring to the Court of Claims the papers in the case of John S. Nix, accompanied by a report (No. 1905), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 29528, reported in lieu thereof a resolution (H. Res. 914) referring to the Court of Claims the papers in the case of John S. Shumate, deceased, accompanied by a report (No. 1906), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 29249, reported in lieu thereof a resolution (H. Res. 915) referring to the Court of Claims the papers in the case of Elijah Patrick, accompanied by a report (No. 1907), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 30411, reported in lieu thereof a resolution (H. Res. 916) referring to the Court of Claims the papers in the case of Samuel Gore Pyle, deceased, accompanied by a report (No. 1908), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 31079, reported in lieu thereof a resolution (H. Res. 917) referring to the Court of Claims the papers in the case of Harvey W. Lathrop and James W. Lathrop, deceased, accompanied by a report (No. 1909), which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. LAW, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8581) for the relief of the heirs of John Gates, deceased, reported the same adversely, accompanied by a report (No. 1887), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 9251) granting relief to Thomas E. Osborn, reported the same adversely, accompanied by a report (No. 1888), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 26864) for the relief of the heirs of Martin L. Fisher, reported the same adversely, accompanied by a report (No. 1889), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 30983) for the relief of S. G. W. Morrison, reported the same adversely, accompanied by a report (No. 1890), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 29601) granting an increase of pension to Elmina S. Ames, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. LAFEAN: A bill (H. R. 31238) to construct a Lincoln Memorial Highway from the White House, Washington, D. C., to the battlefield of Gettysburg, in the State of Pennsylvania; to the Committee on Appropriations.

By Mr. PEARRE: A bill (H. R. 31239) to authorize Park C. Abell, George B. Lloyd, and Andrew B. Sullivan, of Indianhead, Charles County, Md., to construct a bridge across the Mattawoman Creek near the village of Indianhead, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. ANTHONY: A bill (H. R. 31240) to provide an eight-hour workday for United States penitentiary guards; to the Committee on the Judiciary.

By Mr. McMORRAN: A bill (H. R. 31241) providing for the naturalization of aliens who have enlisted or may enlist in the Organized Militia of any State on being honorably discharged therefrom after three years' service; to the Committee on Immigration and Naturalization.

By Mr. CROW: A bill (H. R. 31242) to authorize the town of Hollister, a municipal corporation of Taney County, Mo., to construct a dam across White River, in Taney County, Mo., for the purpose of creating electric power to operate waterworks and furnish light, heat, and power for municipal and industrial purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of North Carolina: A bill (H. R. 31243) providing punishment for the writing, printing, sale, or circulating of any work purporting to be the secret work or any part thereof of any fraternal order, or any work which is claimed or represented to be such work, and prohibiting the use of the United States mail to such works; to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 31244) to provide pensions for the officers and soldiers of the Indian wars of the United States which occurred prior to the year 1880; to the Committee on Pensions.

By Mr. KELIHER: A bill (H. R. 31245) to authorize the Secretary of Commerce and Labor to exchange the site heretofore acquired for an immigration station at Boston, Mass.; to the Committee on Immigration and Naturalization.

By Mr. PRAY: A bill (H. R. 31246) extending the provisions of section 2301 of the Revised Statutes of the United States and acts amendatory thereto to certain lands in the State of Montana embraced within the provisions of the act of Congress of May 1, 1888; to the Committee on the Public Lands.

By Mr. SOUTHWICK: A bill (H. R. 31247) to authorize the extension of Colorado Avenue NW. from its present terminus north of Madison Street to Piney Branch Road; to the Committee on the District of Columbia.

By Mr. McKINLEY of Illinois: Resolution (H. Res. 896) for the relief of Marie Halford, widow of A. J. Halford; to the Committee on Accounts.

Also, resolution (H. Res. 897) to pay Ruth Halford for compiling the third edition of the Congressional Directory, second session Sixty-first Congress; to the Committee on Accounts.

By Mr. KAHN: Joint resolution (H. J. Res. 265) authorizing the President to invite foreign nations to send ships of war to join the United States Navy at Hampton Roads, Va., and proceed thence through the Panama Canal to the Bay of San Francisco to participate in the opening of the Panama-Pacific International Exposition; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER of New York: A bill (H. R. 31248) granting a pension to Harriet Virginia Tiernon; to the Committee on Pensions.

By Mr. ANDREWS: A bill (H. R. 31249) granting a pension to James W. Banks; to the Committee on Pensions.

By Mr. ANSBERRY: A bill (H. R. 31250) granting a pension to Minerva B. Scott; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 31251) granting an increase of pension to Michael Cavanagh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31252) granting an increase of pension to Franklin Lovell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31253) granting an increase of pension to George W. B. Douglass; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 31254) granting an increase of pension to Maidora C. Parker; to the Committee on Pensions.

Also, a bill (H. R. 31255) granting an increase of pension to James A. Zeller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31256) granting an increase of pension to John F. Wilson; to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 31257) granting an increase of pension to Cornelius Hoke; to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 31258) granting an increase of pension to Amelia W. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31259) granting an increase of pension to George P. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31260) granting a pension to Hattie Grover; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 31261) granting an increase of pension to Thomas J. Turner; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 31262) granting an increase of pension to William W. Baughan; to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 31263) granting an increase of pension to John A. Meroney; to the Committee on Invalid Pensions.

By Mr. COUDREY: A bill (H. R. 31264) granting an increase of pension to Julius Bonger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31265) granting an increase of pension to James M. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31266) granting an increase of pension to William Martin Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31267) granting a pension to Caroline Watson; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 31268) granting an increase of pension to James W. Vandervort; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 31269) to carry into effect the findings of the Court of Claims in the case of Ben Mahuren; to the Committee on War Claims.

By Mr. GARDNER of New Jersey: A bill (H. R. 31270) granting a pension to Joseph Eckert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31271) granting an increase of pension to Richard Kennedy; to the Committee on Invalid Pensions.

By Mr. GARNER of Pennsylvania: A bill (H. R. 31272) granting an increase of pension to Maria Tanner; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 31273) granting a pension to Mary Kennedy; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 31274) granting an increase of pension to Deborah A. Osgood; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 31275) granting an increase of pension to Faxon Hayford; to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 31276) granting a pension to John J. Schreiber; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 31277) granting an increase of pension to Ideral Vanfleet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31278) granting an increase of pension to James M. Wylkinson; to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 31279) granting an increase of pension to David Eddy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31280) granting an increase of pension to John Clay; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 31281) granting an increase of pension to Philip T. Cashman; to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 31282) granting an increase of pension to George S. Hunniwell; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 31283) granting an increase of pension to James Anderson; to the Committee on Invalid Pensions.

By Mr. LATTA: A bill (H. R. 31284) granting an increase of pension to George Franks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31285) granting an increase of pension to Chauncey Cronk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31286) granting an increase of pension to George B. Priestly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31287) granting an increase of pension to William F. Ramsey; to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 31288) to carry into effect the findings of the Court of Claims in the case of heirs of Alfred Mullins, deceased; to the Committee on War Claims.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 31289) granting an increase of pension to John B. Pasley; to the Committee on Invalid Pensions.

By Mr. MASSEY: A bill (H. R. 31290) to correct the military record of William B. Jenkins; to the Committee on Military Affairs.

By Mr. MILLINGTON: A bill (H. R. 31291) granting an increase of pension to John E. Quackenbush; to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 31292) to correct the military record of Charles Styer; to the Committee on Military Affairs.

By Mr. MOREHEAD: A bill (H. R. 31293) granting an increase of pension to Robert B. Courts; to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 31294) granting an increase of pension to Pendleton Ziler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31295) granting an increase of pension to William G. Mellinger; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 31296) granting an increase of pension to Francis Bowman; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 31297) granting an increase of pension to James H. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31298) granting an increase of pension to Newton Capps; to the Committee on Invalid Pensions.

By Mr. REYNOLDS: A bill (H. R. 31299) granting an increase of pension to Andrew Black; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31300) granting an increase of pension to Elizabeth Shaffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31301) granting an increase of pension to Hiram Osman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31302) granting an increase of pension to Alpha Heslop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31303) granting an increase of pension to Jasper C. Robinett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31304) granting an increase of pension to C. H. Gruss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31305) granting an increase of pension to William A. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31306) granting an increase of pension to John Hogmire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31307) granting a pension to Gertrude Clites; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 31308) to carry into effect the findings of the Court of Claims in the case of estate of John D. Ragland, deceased; to the Committee on War Claims.

By Mr. ROTHERMEL: A bill (H. R. 31309) granting an increase of pension to Mary M. Rowe; to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 31310) for the relief of the University of Kansas; to the Committee on Claims.

By Mr. STURGISS: A bill (H. R. 31311) granting an increase of pension to Mary J. Penrod; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas, from Committee on War Claims: Resolution (H. Res. 899) referring to the Court of Claims the bill H. R. 178; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 900) referring to the Court of Claims H. R. 1102; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 901) referring to the Court of Claims H. R. 1181; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 902) referring to the Court of Claims H. R. 9879; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 903) referring to the Court of Claims H. R. 18093; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 904) referring to the Court of Claims H. R. 18094; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 905) referring to the Court of Claims H. R. 18095; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 906) referring to the Court of Claims H. R. 18829; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 907) referring to the Court of Claims H. R. 20445; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 908) referring to the Court of Claims H. R. 21008; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 909) referring to the Court of Claims H. R. 25299; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 910) referring to the Court of Claims H. R. 27029; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 911) referring to the Court of Claims H. R. 27055; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 912) referring to the Court of Claims H. R. 28384; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 913) referring to the Court of Claims H. R. 29087; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 914) referring to the Court of Claims H. R. 29528; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 915) referring to the Court of Claims H. R. 29249; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 916) referring to the Court of Claims H. R. 30411; to the Private Calendar.

Also, from Committee on War Claims: Resolution (H. Res. 917) referring to the Court of Claims H. R. 31079; to the Private Calendar.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER of New York: Petition of George H. Burgatt, against H. R. 3075, the Tou Velle stamped-envelope bill; to the Committee on the Post Office and Post Roads.

Also, petition of board of directors Chamber of Commerce and Manufacturers' Club of Buffalo, N. Y., for a permanent tariff commission; to the Committee on Ways and Means.

Also, petition of Lincoln Post, No. 1, Grand Army of the Republic, for House bill 18899, Civil War volunteer officers' retired list; to the Committee on Military Affairs.

By Mr. ALLEN: Petition of George Lemuel Turner, for reference of his claim to the Court of Claims; to the Committee on War Claims.

By Mr. ALEXANDER of Missouri: Petitions of J. R. Dalby & Son, the Braymer Bee, S. F. Farrar, and 32 other citizens of Braymer, Mo., and sundry citizens of Gallatin, Richmond, Cameron, Albany, Cainsville, and Plattsburg, Mo., against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ANDERSON: Papers to accompany bills for relief of William A. Barrett, Joseph Blackford, Alonzo Bennett, Martin H. Black, Melanchton Binkley, Frank Bleser, Jerome Ashley, Joseph P. Albin, and Mashal P. Beach; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: Petition of citizens of the fifth Ohio congressional district, against the parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of C. C. Franks, of Moorland, Ohio, against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Kaldenbaugh Post, No. 676, Grand Army of the Republic, of Mineral City, Ohio, favoring the age pension law; to the Committee on Invalid Pensions.

By Mr. BYRNS: Paper to accompany bill for relief of John A. Meroney; to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of Twelfth Assembly District Regular Democratic Club, favoring parcels post as per the Sulzer bill; to the Committee on the Post Office and Post Roads.

By Mr. CASSIDY: Petition of Emil Berger and 52 other citizens of Cleveland, Ohio, protesting against House bill 30292, establishing a public-health bureau without a hearing before the Interstate and Foreign Commerce Committee; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPMAN: Petition of citizens of the twenty-fourth Illinois congressional district, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. DAWSON: Petition of Carl & Herring and 87 other citizens of Iowa, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DUREY: Paper to accompany bill for relief of Elmina Ames (previously referred to Committee on Invalid Pensions); to the Committee on Pensions.

By Mr. ELLERBE: Petition of Elizabeth W. Allston Pringle, vice regent for South Carolina, against the placing of a criminal reformatory near the grave of Washington; to the Committee on the District of Columbia.

By Mr. FULLER: Petition of the Chicago Railway Equipment Co., favoring the bill to create a court of patent appeals, H. R. 14622; to the Committee on Patents.

Also, petition of George Strohuber, of Allegany, N. Y., favoring House bill 17883, increasing pension of those who have lost an arm or leg in the service; to the Committee on Invalid Pensions.

Also, petition of A. W. France, of Portland, Oreg., for increase of pensions to soldiers of the Civil War; to the Committee on Invalid Pensions.

Also, petitions of Emerson Carriage Co., of Rockford, Ill.; Reflor Hardware Co., Kneussel Bros., and A. Alshuler & Sons, of Ottawa Ill., against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of the Illinois Teachers' Association, against House bill 24316 and Senate bill 530; to the Committee on Education.

Also, petition of Henning Brewing Co., of Mendota, Ill., for the removal of the duty on barley; to the Committee on Ways and Means.

Also, petition of Maj. Clyde C. Miner, of Woodstock, Ill., favoring House bill 28436, the militia pay bill; to the Committee on the Militia.

By Mr. GOULDEN: Petition of American Association of Masters and Pilots, relative to salaries of clerks to steamboat inspectors; to the Committee on Appropriations.

By Mr. GRAHAM of Illinois: Protests of merchants of Dorchester, Springfield, and Shipman, Ill., against rural parcels post; to the Committee on the Post Office and Post Roads.

Also, memorial of members of the Methodist Episcopal Church of Williamsville, Ill., asking for the enactment into law of House bill 23641; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDWICK: Paper to accompany bill for relief of Rob L. Hester; to the Committee on Pensions.

By Mr. HAWLEY: Petition of citizens of the first Oregon congressional district, protesting against a local rural parcels-

post service; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Petition of R. M. Lyons Post, Grand Army of the Republic, of Bowerston, Ohio, favoring increase of pensions; to the Committee on Invalid Pensions.

By Mr. HOUSTON: Petition of J. P. Adams and others, of Manchester, Tenn., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HUGHES of New Jersey: Petition of State military board, favoring House bill 28436; to the Committee on the Militia.

By Mr. JOYCE: Petition of Dick Cheatham Post, No. 317, Grand Army of the Republic, of Beverly, Ohio, and Fred Aler Post, No. 412, Grand Army of the Republic, of Adamsville, Ohio, favoring amendment to the age pension act; to the Committee on Invalid Pensions.

Also, petition of citizens of the fifteenth congressional district of Ohio, against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, memorial of Nellsville Grange, No. 229, favoring New Orleans for the Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petition of Barlow Grange, No. 1577, of Vincent, Ohio; farmers' institute of Reinerville, Ohio; and farmers' institute of Fairview, Ohio, for parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. KENDALL: Protest of citizens of Grinnell, Iowa, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LATTA: Petition of J. E. Crissinger and 24 others, of Newcastle, Nebr., and M. J. Scudder and 25 other business men of Central City, Nebr., favoring a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LEVER: Memorial of Cumberland Sound Lodge, No. 303, B. P. C. of A., Jacksonville, Fla.; International Union of Brewery Workmen, of Evansville, Ind.; Central Labor Union of Elkhart, Ind.; Brotherhood of Painters and Decorators' Union of Springfield, Mo.; Binghamton Division, Order of Railway Conductors, of Binghamton, N. Y.; Brotherhood of Painters and Decorators, of Columbus, Ohio; Union Labor League of Sharon, Pa.; and Brotherhood of Painters, Decorators, and Paperhangers, of Erie, Pa., in support of the Lever bill, repealing the tax on oleomargarine; to the Committee on Agriculture.

By Mr. LINDBERGH: Petition of citizens of Wadena and Monticello, Minn., against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. McKINNEY: Petition of the Presbyterian Church of Good Hope, Ill., for the passage of the Miller-Curtis interstate liquor bill; to the Committee on Interstate and Foreign Commerce.

By Mr. McMORRAN: Papers to accompany bill for the naturalization of aliens who have enlisted or may enlist in the Organized Militia of any State honorably discharged therefrom after three years' service; to the Committee on Immigration and Naturalization.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Lincoln, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MASSEY: Affidavit of Robert H. Massey (referred from Committee on Invalid Pensions); to the Committee on Military Affairs.

By Mr. MILLINGTON: Papers to accompany House bill granting an increase of pension to John E. Quackenbush; to the Committee on Invalid Pensions.

By Mr. PEARRE: Petition of Home Interest Society of Montgomery County, Md., favoring Senate bill 423 and House bill 3654; to the Committee on Expenditures in Interior Department.

By Mr. REEDER: Petition of citizens of the sixth Kansas congressional district, against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. REYNOLDS: Petition of employees of the Johnstown post office, favoring House bill 22776, relative to retirement of Government employees; to the Committee on Reform in the Civil Service.

Also, petition of citizens of Johnstown and Lilly, favoring Senate bill 3776, to control express companies by the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill for relief of Elizabeth Shaffer; to the Committee on Pensions.

Also, papers to accompany bills for relief of Hiram Osman, Jasper C. Rabinett, Levi Clites, and William A. Patterson; to the Committee on Invalid Pensions.

Also, petitions of Mount Hermon Grange, No. 1120; Bedford County Pomona Grange; Licking Valley Grange, No. 484, of Archspring; Laysburg Grange, No. 1104; Osterbury Grange, No. 737; and Highland Grange, No. 1123, of Wilmore, all in the State of Pennsylvania, for amendment of the oleomargarine law; to the Committee on Agriculture.

By Mr. RICHARDSON: Paper to accompany bill for relief of Maj. Sanford Willbanks; to the Committee on Military Affairs.

By Mr. SHEFFIELD: Memorials of town councils of Bristol, Coventry, New Shoreham, North Providence, and Richmond, R. I.; General Assembly of the State of Rhode Island; and citizens of Newport, Block Island, Middletown, New Shoreham, and Newport County, R. I., in favor of Senate bill 5677; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Society for the Relief and Control of Tuberculosis in Pawtucket, R. I., and vicinity, favoring investigation of dairy products; to the Committee on Agriculture.

By Mr. STEVENS of Minnesota: Memorial of Minnesota State Federation of Labor, favoring more restrictive immigration laws; to the Committee on Immigration and Naturalization.

Also, petition of Manheimer & Bros., of St. Paul, Minn., and Murphy & Co., of Stillwater, Minn., against the proposed rural parcels post; to the Committee on the Post Office and Post Roads.

Also, memorial of Minnesota State Board of Control, against passage of bill limiting sale of prison-made goods to the State where manufactured; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of John F. Foley and others, for appropriation to relieve the victims of the *General Slocum* disaster; to the Committee on Appropriations.

Also, petition of citizens of the United States for legislation to make October 12 a holiday; to the Committee on the Judiciary.

Also, petition of H. E. Wills, national legislative representative of the Brotherhood of Locomotive Engineers, favoring Federal inspection of locomotive boilers; to the Committee on Interstate and Foreign Commerce.

By Mr. THISTLEWOOD: Protests of citizens of the twenty-fifth congressional district of Illinois, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. TOU VELLE: Petition of the Messrs. Bvetter, of Maplewood, Ohio, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *January 13, 1911.*

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

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

THE FIVE CIVILIZED TRIBES.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, in response to a resolution of the 9th instant, that the Commissioner to the Five Civilized Tribes at Muskogee, Okla., has been directed to report as to the total cost of closing the affairs of the Five Civilized Tribes, making up the rolls, and allotting the lands, and conducting the schools, etc., and that upon the receipt of his report it will be transmitted to the Senate (S. Doc. No. 739), which was referred to the Committee on the Five Civilized Tribes and ordered to be printed.

ESTIMATE OF APPROPRIATION.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending the adoption of a proposed amendment to the legislative, executive, and judicial appropriation bill for one bookbinder, $1,250, Division of Printing and Stationery, Treasury Department (S. Doc. No. 738), which was referred to the Committee on Appropriations and ordered to be printed.

CIVIL GOVERNMENT OF PORTO RICO.

The VICE PRESIDENT laid before the Senate a cablegram, in the nature of a communication, from the speaker of the House of Delegates of Porto Rico, requesting the amplification of legislation providing for an elective insular senate and a participation of Porto Rico in the insular, executive, and other liberal reforms (S. Doc. No. 737), which was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.