Harry D. Hunt to be postmaster at North Attleboro, Mass., in place of Harry D. Hunt. Incumbent's commission expired February 7, 1911.

MICHIGAN.

William H. Goodman to be postmaster at Allegan, Mich., in place of William H. Goodman. Incumbent's commission expires March 2, 1911.

MISSOURI.

T. G. Buxton to be postmaster at Seneca, Mo., in place of Moses M. Adams. Incumbent's commission expired February 13, 1911.

John L. Schmitz to be postmaster at Chillicothe, Mo., in place of John L. Schmitz. Incumbent's commission expired January 28, 1911.

NEBRASKA.

Frank R. Wild to be postmaster at De Witt, Nebr., in place of Frank R. Wild. Incumbent's commission expired January 31, 1911.

NEW YORK.

John L. Kyne to be postmaster at East Syracuse, N. Y., in place of John L. Kyne. Incumbent's commission expires February 28, 1911.

H. D. Stebbins to be postmaster at West Winfield, N. Y., in place of Charles E. Morgan. Incumbent's commission expired February 13, 1911.

NORTH DAKOTA.

Thomas Jones to be postmaster at Linton, N. Dak., in place of Thomas Jones. Incumbent's commission expires March 2, 1911.

OHIO.

Edmund F. Moore to be postmaster at Lisbon, Ohio, in place of Edmund F. Moore. Incumbent's commission expired February 21, 1911.

Akin M. Richards to be postmaster at Hicksville, Ohio, in place of Akin M. Richards. Incumbent's commission expired March 3, 1907.

OKLAHOMA.

Poe B. Vandament to be postmaster at Glencoe, Okla. Office became presidential January 1, 1911.

OREGON.

Fred Davis to be postmaster at Madras, Oreg. Office became presidential January 1, 1911.

PENNSYLVANIA.

Barnett C. Fretts to be postmaster at Scottdale, Pa., in place of Barnett C. Fretts. Incumbent's commission expires March 2, 1911.

Samuel F. Booher to be postmaster at Kittanning, Pa., in place of Samuel F. Booher. Incumbent's commission expires February 25, 1911.

Adelbert E. Torrens to be postmaster at Conway, Pa. Office became presidential January 1, 1911.

SOUTH DAKOTA.

Adam Royhl to be postmaster at Arlington, S. Dak., in place of George Reed. Incumbent's commission expires February 28, 1911.

J. T. Smith to be postmaster at Scotland, S. Dak., in place of John Reich. Incumbent's commission expires March 2, 1911.

TEXAS.

George W. Burkitt, jr., to be postmaster at Palestine, Tex., in place of George W. Burkitt, jr. Incumbent's commission expired February 21, 1911.

UTAH.

Charles S. Wilkinson to be postmaster at Cedar City, Utah. Office became presidential January 1, 1911.

VERMONT.

Edward W. Bisbee to be postmaster at Barre, Vt., in place of Edward W. Bisbee. Incumbent's commission expires March 2, 1911.

Roscoe M. Cowles to be postmaster at Albany, Vt. Office became presidential January 1, 1911.

Fred B. Hammond to be postmaster at North Troy, Vt., in place of John L. Lewis, resigned.

WISCONSIN.

William Hausmann to be postmaster at West Bend, Wis., in place of William Hausmann. Incumbent's commission expires February 28, 1911.

Christ Legried to be postmaster at Cambridge, Wis., in place of Christ Legried. Incumbent's commission expires February 28, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 24, 1911.

POSTMASTERS.

MASSACHUSETTS.

Harry D. Hunt, North Attleboro.

PENNSYLVANIA.

Thomas B. Smith, Philadelphia.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 24, 1911.*

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

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

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

HELEN S. HOGAN.

Mr. CANTRILL. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution (H. Con. Res. 62), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives and the President of the Senate be, and hereby are, directed to erase their signatures to the bill (H. R. 25081) for the relief of Helen S. Hogan, and that the said bill be reenrolled with the words "act of February 26" changed to "act of February 25."

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

CHANGE OF REFERENCE—NATIONAL M'KINLEY BIRTHPLACE MEMORIAL.

The SPEAKER. Without objection, reference of the bill (H. R. 32907) to incorporate the National McKinley Birthplace Memorial Association will be changed from the Committee on the Library to the Committee on the Judiciary.

There was no objection, and it was so ordered.

QUESTION OF PRIVILEGE.

Mr. HAMILL. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. HAMILL. Mr. Speaker, in the early part of the present session several measures were placed on the files of this House, to each of which my name was attached as the introducer. To say the least, some of them are rather startling in character. They are numbered and entitled, respectively, H. J. Res. 244, designating the 25th day of April in each and every year "American Day;" H. R. 27838, to construct a national auto highway along or near to the thirty-fifth parallel of north latitude from the Atlantic to the Pacific Ocean; and H. R. 27839, for the establishment of an experimental auto-coach rural service. Mr. Speaker, I of course appreciate the humor contained in these measures and if it were a matter merely personal to myself I would be inclined to view it in the manner in which the House evidently views it after hearing the disclosure of the titles. They were introduced, Mr. Speaker, without my knowledge or consent. I had intended to take no notice of them, but the newspapers of the country saw fit to comment on them, some newspapers treating them humorously, others critically, and still others in a strain that was rather caustic. I would still adhere to my determination to take no notice of them and to let them lie in the oblivion and contempt to which such legislation ought to be consigned, but I feel it is a matter of public interest which should not be ignored. I may at the same time take the opportunity to remark that the loose and informal way in which legislation is initiated in this House by the mere dropping of bills into a basket on the Clerk's desk renders it the easiest thing in the world for anybody to introduce anything in the shape of legislation with anybody's name attached to it. This legislation is printed at Government expense. However, I am not concerned about that now. My purpose to-day, Mr. Speaker, is to arrest the attention of the House for the purpose of clearing off the reflection, not upon me personally, but upon the House of Representatives as a body. Therefore, Mr. Speaker, I move that these measures introduced, as I have stated, without my consent, without my knowledge, bearing attached to them as introducer my name, unauthorized and unwarranted, be stricken from the files of this House. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from New Jersey, that there be stricken from the files of the House the bills H. R. 27839, for the establishment of an experimental auto-post-coach rural service; H. R. 27838, to construct a national auto highway along or near the thirty-fifth parallel of north latitude, from the Atlantic to the Pacific Ocean, and House joint resolution 244, designating the 25th day of April in each and every year "America Day."

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

VACANCY, BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent that the House reconsider the vote whereby Senate joint resolution 145 was passed yesterday. There was a mistake in the joint resolution. It was a resolution appointing a member of the board of regents of the Smithsonian Institution and John B. Henderson, jr., was designated as "of Virginia." Under the

law a Virginian could not be appointed to the class of regents in which there is now a vacancy; in any event Mr. Henderson is a resident of the city of Washington. I therefore ask unanimous consent that the vote whereby the resolution was passed be reconsidered.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the vote whereby Senate joint resolution 145 was agreed to be reconsidered. Is there objection? [After a pause.] The Chair hears none.

Mr. DALZELL. Then, Mr. Speaker, I move that the Senate be requested to return the joint resolution to the House so that it can be amended.

Mr. FINLEY. Mr. Speaker, we can not hear what the gentleman says.

The SPEAKER. The gentleman from Pennsylvania has stated it, but the Clerk will read the title of the resolution.

The Clerk read as follows:

Senate joint resolution 145, providing for the filling of a vacancy which will occur on March 1, 1911, in the board of regents of the Smithsonian Institution of the class other than Members of Congress.

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

Mr. DALZELL. Mr. Speaker, I move that the Senate be requested to return the joint resolution to the House.

The SPEAKER. The gentleman from Pennsylvania moves that the Senate be requested to return the joint resolution to the House.

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

HENRY HALTEMAN.

The SPEAKER laid before the House the bill (H. R. 20603) for the relief of Henry Halteman, with a Senate amendment.

The Senate amendment was read.

Mr. COX of Ohio. Mr. Speaker, I move that the House concur in the Senate amendment.

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

RIVER AND HARBOR BILL.

Mr. ALEXANDER of New York. Mr. Speaker, I call up the conference report on the bill H. R. 28632, the river and harbor bill, and ask that the statement be read in lieu of the report.

The SPEAKER. The gentleman from New York calls up the following conference report on the bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 28632) making appropriations for the construction, repair, and preservation of public works on rivers and harbors, and for other purposes.

The SPEAKER. And the gentleman asks unanimous consent that the statement be read in lieu of the report.

Mr. MANN. Mr. Speaker, I reserve all points of order upon the report.

The Clerk began reading the statement.

Mr. ALEXANDER of New York. Mr. Speaker, inasmuch as the report and the statement have been published in the RECORD of this morning, on page 3366, and is before all the Members of the House and is probably familiar to all present, I ask unanimous consent that the reading of the statement be discontinued and that the conference report be adopted.

The SPEAKER. Does the gentleman separate his request that the reading of the statement be dispensed with from the other?

Mr. ALEXANDER of New York. Yes.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none. The gentleman from Illinois reserved points of order upon the report.

Mr. ALEXANDER of New York. Mr. Speaker, I move that the unanimous report of the conferees be adopted.

Mr. MANN. Mr. Speaker——

The SPEAKER. The Chair will hear the gentleman from Illinois on the points of order.

Mr. MANN. Well, the report is subject to a point of order, as far as that is concerned, in reference to the agreement on amendment No. 10, but I do not know that I would care to insist upon the point of order if we can have a statement in reference to that provision. The conferees have attempted to amend it, I see.

Mr. ALEXANDER of New York. That is in regard to water-power development on the Coosa River?

Mr. MANN. The Coosa River lock and dam.

Mr. ALEXANDER of New York. Does the gentleman from Illinois desire any further statement than that given in the RECORD of this morning on page 3368? The amendment of the Senate as amended in conference comes strictly within the general dam act.

Mr. MANN. Apparently not.

Mr. ALEXANDER of New York. It not only allows the act to be altered or amended, but if at any time, in the interest of navigation, it becomes necessary to remove the power works, then such removal shall be done at the expense of the contracting parties and not at the expense of the Government.

Mr. MANN. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The question is on the motion to agree to the conference report.

The question was taken, and the conference report was agreed to.

EXTENSION OF TIME ON DESERT-LAND ENTRIES.

The SPEAKER laid before the House the bill (S. 10318) authorizing the Commissioner of the General Land Office to grant further extension of time within which to make proof on desert-land entries, with a Senate amendment.

The Senate amendment was read.

Mr. MONDELL. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken, and the Senate amendment was concurred in.

PENSIONS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that pension bills on the Private Calendar in order for to-day be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from New Hampshire [Mr. SULLOWAY] asks unanimous consent that business in order to-day upon the Private Calendar be considered in the House as in the Committee of the Whole.

PLACING PRIVATE BILLS ON CALENDAR FOR UNANIMOUS CONSENT.

Mr. MANN. Mr. Speaker, pending the motion of the gentleman from New Hampshire [Mr. SULLOWAY], I ask unanimous consent for the consideration of the following order, which I send to the Clerk's desk.

The SPEAKER. Pending which motion, the gentleman from Illinois [Mr. MANN] asks unanimous consent for the present consideration of the following order (No. 24), which the clerk will report.

The Clerk read as follows:

Ordered, That after Monday, February 27, 1911, and during the balance of this session, it shall be in order to place on the Calendar for Unanimous Consent bills on the Private Calendar.

The SPEAKER. Is there objection?

Mr. PRINCE. Mr. Speaker, a parliamentary inquiry. Does that mean claims bills?

The SPEAKER. All bills in order on the Private Calendar for unanimous consent.

Mr. PRINCE. I have no objection.

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

So the order was agreed to.

FISH-CULTURAL STATION IN TENNESSEE.

Mr. WILSON of Illinois. Mr. Speaker, I ask unanimous consent to withdraw report on the bill H. R. 5196, a bill to establish a fish-cultural station in the County of Hickman, in the State of Tennessee, for the purpose of making an amendment.

The SPEAKER. The gentleman from Illinois [Mr. WILSON] asks unanimous consent to withdraw the report on the bill H. R. 5196, for the purpose of making an additional report. Is there objection?

There was no objection.

PENSIONS.

The SPEAKER. The gentleman from New Hampshire [Mr. SULLOWAY] asks unanimous consent that business in order to-day on the Private Calendar be considered in the House as in the Committee of the Whole. Is there objection?

Mr. FOSTER of Illinois. Reserving the right to object, Mr. Speaker, does that refer to pension claims alone?

The SPEAKER. It includes all bills on the calendar, as the Chair understands.

Mr. FOSTER of Illinois. I object, unless it refers just to those private claims. Did the gentleman make his request to include just pensions?

Mr. SULLOWAY. I said pensions.

The SPEAKER. Does the gentleman from New Hampshire [Mr. SULLOWAY] modify his request, and ask that pension bills in order to-day be considered in the House as in the Committee of the Whole?

Mr. SULLOWAY. I do.

The SPEAKER. Is there objection?

There was no objection.

MILITARY RECORDS OF CERTAIN SOLDIERS AND SAILORS.

The SPEAKER laid before the House House joint resolution No. 276, modifying certain laws relating to military records of certain soldiers and sailors, with a Senate amendment.

The Senate amendment was read.

Mr. STEVENS of Minnesota. Mr. Speaker, I move to concur in the amendment of the Senate.

The Senate amendment was concurred in.

PENSIONS.

The SPEAKER. The gentleman from New Hampshire [Mr. SULLOWAY] is recognized.

The Clerk will report the first bill.

AARON WAKEFIELD.

The first business on the Private Calendar was the bill (H. R. 10605) to amend the military record of Aaron T. Wakefield.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend the military record of Aaron T. Wakefield, late of Company K, Fifteenth Regiment Maine Volunteer Infantry, as to indicate that he received an honorable discharge.

With the committee amendment, as follows:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"That in the administration of the pension laws Aaron Wakefield shall hereafter be held and considered to have been honorably discharged from Company K, Fifteenth Regiment Maine Infantry Volunteers, on the 17th day of September, 1864."

Mr. BARTLETT of Georgia. Is that a pension bill?

The SPEAKER. The Chair understands it is. The question is on agreeing to the amendment.

The amendment was agreed to.

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

The title was amended to read: "A bill for the relief of Aaron Wakefield."

OMNIBUS PENSION BILL.

The next business on the Private Calendar was the bill (H. R. 32822) 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.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Patrick Oates, late captain Company A, One hundred and thirty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Small, late of Company F, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Wilbur M. Root, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Siewert E. Wierman, late of Comany F, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James L. Ballinger, late of Comany C, Fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harvey D. Parmenter, late of Company A, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Vincent H. Gaskill, late acting assistant surgeon, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Gabriel Duffy, late of Company E, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now reciving.

The name of Joseph M. Lightell, late of Company H, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isaac C. Spears, late of Company E, Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Nichols, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George C. Stearns, late of Company C, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Milton Cooper, late of Companies I and B, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Elizabeth Waters, widow of Shelah Waters, late major, Fifth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Garrett, late of Company K, Eighth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Congdon, late of Company F, Sixty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Persis A. Gowen, former widow of William D. Walker, late captain Company E, Seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Edward W. Currigan, late of Company H, One hundred and first Regiment, and Company B, One hundred and ninety-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elizabeth B. Stussy, widow of Andrew Stussy, late of Company A, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary J. Harwood, widow of George J. Harwood, late of Company D, Sixty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Margaret C. De Cow, widow of Henry R. De Cow, late of Company D, Third Regiment, and first lieutenant Company I, Second Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Elias Spaulding, late of Company D, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Malinda A. Hemstreet, widow of George W. Hemstreet, late second lieutenant Company G, Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The name of Benjamin F. Thompson, late of Company I, Ninety-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harriet E. Lewis, former widow of Francis A. Russell, late of Company I, First Regiment New York Volunteer Mounted Rifles, and pay her a pension at the rate of $12 per month.

The name of Frank B. Smith, late of Company C, Eighty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph E. McCabe, late of Company A, Seventeenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry M. Gifford, late of Company K, Third Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of $15 per month in lieu of that he is now receiving.

The name of Samuel Creech, late of Company D, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Homer Stevens, late of Company A, One hundred and seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William T. Miller, late of Company E, Fifth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Matthias J. Brower, late of Company K, Twenty-second Regiment New Jersey Militia Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret Trowbridge, widow of Peter Trowbridge, late of Company B, First Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John B. Eaton, late of Company C, Twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Margaret M. Stone, widow of Charles H. Stone, late of Company K, Third Regiment United States Reserve Corps Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles Bieger, late of Company B, Fifth Regiment, and Company B, Fourth Regiment, Missouri Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Eulalie Johnson, helpless and dependent child of Richard M. Johnson, late of Company E, Twenty-second Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Amanda M. Braley, former widow of Warren M. Foster, late second lieutenant Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Thomas L. Jennison, late of Company G, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel H. Greene, late of Company G, First Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Croak, late of Company E, Ninety-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of E. Lyman Kellogg, late of Company K, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lilburn Johnson, late of Company L, Seventh Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Hardenbrook, late first lieutenant Company H, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Battenfield, late of Company D, Fourteenth Regiment Ohio Volunteer Infantry, and Company G, One hundred and sixty-third Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Johnson, late of Company I, Eighth Regiment, and Company E, Thirty-eighth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas L. Davidson, late of Company H, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Cupitt, late of Company E, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac Bowers, late of Company H, Thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Boyce, late of Company C, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Milton M. De Witt, late of Company F, One hundred and thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James M. Wilson, late of Company B, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Noah Smith, late of Company F, Third Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob N. Hamburger, late of Company G, Twelfth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas Griffin, late of Company F, One hundred and sixteenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Doctor R. Hurst, late of Company D, Sixth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Warren M. Smith, late of Company I, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph Crago, late of Company H, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Caroline K. Brennan, widow of George M. Brennan, late surgeon First Regiment United States Volunteer Sharpshooters, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ephraim B. Wilhoit, late of Company I, Twenty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel W. Manear, late of Company G, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Edmund Messenger, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William T. Little, late of Company C, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James S. Case, late captain Company C, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William B. King, late of Company B, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John P. McCorkle, late of Company G, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alonzo Douthit, late of Company H, Ninth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George Fetzer, late of Company B, Twelfth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Bay, late of Company G, One hundred and twenty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Eli Newsom, late of Company A, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Smith, late of Company H, Fifty-third Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James A. Morrow, late of Company A, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John H. Elkins, late of Company K, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Willard A. Corderman, late of Company E, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lewis Gentry, late of Company K, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Nettie M. Howe, widow of Charles M. Howe, late of Company C, Tenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Alice Howe, helpless and dependent daughter of said Charles M. Howe, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Nettie M. Howe, the name of said Alice Howe shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Nettie M. Howe.

The name of Christopher O. Ghearhart, late of Company I, One hundred and forty-eighth Regiment, and Company B, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Arietta Saxe, widow of George Saxe, late of Company B, One hundred and second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Obediah A. Bigley, late of Company E, Twenty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel E. Rice, late of Company I, Forty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John M. Brown, late of Company A, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hiram Gilmore, late of Company D, Fortieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Graves, late of Company I, Fifty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Josiah Jordan, late of Company A, Seventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Powley, late of Company H, First Battalion Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving

The name of Charles G. Taylor, late of Company D, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin B. Brown, late of Company E, Thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles W. Brackett, late of Company G, Seventh Regiment Maine Volunteer Infantry, and Company G, First Regiment Maine Veteran Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alonzo Ripley, late of Company D, Fortieth Regiment Massachusetts Volunteer Infantry, and Company H, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Annie T. Barclay, widow of Charles J. Barclay, late acting ensign and rear admiral, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William Lisle, late of Company G, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Solomon Blain, late of Company H, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Ewan, late of Company H, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John F. Cozat, late of Company M, Eighth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ellen Strong, helpless and dependent child of Charles B. Strong, late of Company K, One hundred and sixty-fourth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $12 per month.

The name of Melvin Seward, late of Company A, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John W. Yetter, late of Company F, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James Lynch, late of Company E, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Marion Fulton, late of Company F, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Josephus Mills, late of Company B, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry Shaffer, late of Company L, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Clark, late of Company B, Third Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Lyons, late of Company E, Ninetieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Andrew F. Sewards, late of Seventh Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Wilson Tesson, late of Battery G, Third Regiment United States Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward Y. White, late of Company H, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Nancy A. Donaldson, former widow of Thomas J. Cain, late of Company A, Thirtieth Regiment Indiana Volunteer Infantry, and widow of William Donaldson, late of Company E, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John D. Amick, late of Company E, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James Hogg, late of Company A, Forty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Cornelius B. Ingels, late of Independent Battery C, Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Peters, late of Company E, Sixty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George H. Lunt, late of Company F, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. Stewart, late of Company F, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob Kober, late of Company I, Thirty-second Regiment, and Company C, Sixteenth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Smith Redd, late of Company I, One hundred and seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Howell, late of Company G, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac Defenbaugh, late second lieutenant Companies D and E, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James B. Graham, late of Company E, Fourth Regiment Ohio Volunteer Infantry, War with Mexico, and Company H, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Peter Peterson, late of Company B, Fifteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Andrew Nelson, late of Company F, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Clark Hewitt, late of Company F, First Regiment Wisconsin Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry Beavers, late of Company E, Twenty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James W. Kimble, late of Company E, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry C. Ketchum, late of Company E, First Regiment Vermont Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hiram B. Hawkins, late of Companies H and E, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Snyder, late of Company D, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John R. Ryan, late of U. S. S. Allegheny and Kineo, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin Malam, late of Company B, One hundred and forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margreth Drudy, dependent mother of James M. Drudy, late of Company E, Third Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Mary E. Yaple, widow of Jacob Yaple, late captain Company C, One hundred and first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Anna L. Yaple, helpless and dependent daughter of said Jacob Yaple, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary E. Yaple, the name of said Anna L. Yaple shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary E. Yaple.

The name of Asahel Ward, late of Company K, and sergeant major Seventeenth Regiment, and first lieutenant Company A, Forty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Kelley, late of Company B, Second Battalion Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles P. Ellison, late of Company D, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ira B. Horner, late of Company K, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Levi M. Harris, late of Company F, Second Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elisha M. Darling, late of Company K, Fourteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sarah Jane Lush, widow of William Lush, late of Company M, Sixth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of John Breiner, late of Company F, One hundred and forty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary E. Gardner, former widow of Henry J. D. Minton, late of Company K, Twenty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of James Y. Gooch, late of Company A, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Nicholas Frankhouser, late of Company G, Eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James L. Johnston, late of Company E, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Solomon Johnson, late of Company E, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Levi Lynch, late of Company F, Fifteenth Regiment, and Company L, Tenth Regiment, Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Straw, late of Company C, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles W. Colbath, late of Company B, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram Hawk, late of Company F, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Conkle, late of Company I, One hundredth Regiment Illinois Volunteer Infantry, and Company G, Fifteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elbert Sexton, late of Company G, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Louis P. Theurer, late of Company F, Twenty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Seacrist, late of Company G, Tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of James Bouley, late of Company L, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Homer W. Johnson, late of Company E, Forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James F. Brandon, late of Company B, Tenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Jaquith, late of Company G, Twenty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Coughlin, late lieutenant colonel Tenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving.

The name of Joshua Watters, late of Company A, Fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry C. Cutter, late of Company H, Fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph Turner, late of Company C, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John L. Keifer, late of Company A, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John C. Oliver, late of Sixteenth Independent Battery New York Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Nicholas Dittmore, late of Company D, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel Haines, late of Company F, Fifth Regiment New Hampshire Volunteer Infantry, and Company C, First Regiment United States Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George Hooper, late of Company G, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jesse W. Good, late of Company H, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John H. Downey, late of Company A, Second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert F. McDonald, late captain Company G, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Theodore M. Davis, late of Company E, Forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Andrew P. Wall, late of Twenty-fourth Independent Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Felthoff, late of Company B, Eighty-sixth Regiment Indiana Volunteer Infantry, and Company C, Eighth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances Miles, widow of John Miles, late of Company B, Thirty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John E. Agler, late of Company K, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Wallace A. Simmons, late of Company B, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isaac Isenhart, late of Company I, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Franklin Van Auken, late of Company C, Twenty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Akin, late of Company C, First Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John J. Thompson, late of Company A, One hundred and forty-third Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John P. Roderick, late of Company E, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah Hook, widow of John W. Hook, late of Company E, Seventy-ninth Regiment Indiana Volunteer Infantry, and Company G, First Battalion, Fifth Regiment, Veteran Reserve Corps, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John B. P. Shannon, late of Company A, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Philip B. Stoner, late of Company G, Eighty-fourth Regiment, and Company K, Fifty-seventh Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John McHugh, late of Company K, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Louisa Parsels, widow of Daniel E. Parsels, late of Company L, Fifty-sixth Regiment New York Volunteer Infantry, and Eighth Independent Battery, New York Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles A. Engles, late of Company A, Purnell's Legion Maryland Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Bishop, late of Company F, Tenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Chrisier, late of Company E, One hundred and forty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Seymour S. Peloubet, late of Company D, Thirty-ninth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Van Wagner, late of Company C, One hundred and forty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Noah Horner, late of Company A, Second Regiment Pennsylvania Volunteer Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Jones, late of Company B, Seventeenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George W. Doty, late of Company H, Fourth Regiment New York Volunteer Heavy Artillery, and Second Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Davids, late of Company C, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John C. Dempsey, late of Company D, First Regiment Eastern Shore Maryland Volunteer Infantry, and Company G, Eleventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Milton Buchanan, late of Twenty-eighth Independent Battery New York Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Esther M. Shenick, former widow of Alvah Stevens, late of Company K, Second Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Frederick Yahnkee, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harriet V. Tiernon, widow of John Luke Tiernon, late first lieutenant, Third Regiment United States Artillery, and brigadier-general, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Michael Cavanagh, late of Company B, Forty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Franklin Lovell, late of Company B, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James A. Zeller, late of Companies K and A, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John A. Meroney, late hospital steward Twelfth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James W. Vandervoort, late assistant surgeon Sixteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John B. Pasley, late of Company H, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John J. Burtsfield, late of Capt. Lehman's company, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George L. Johnson, late of Company B, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lewis J. Cutter, late of Company B, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Potter, late of Company D, Eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Anna C. Foulke, widow of Oliver E. Foulke, late of Company E, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William H. Vasbinder, late of Company K, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob G. Crouse, late of Company G, Forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William F. Bell, late of Company F, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David Lucas, late of Company A, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jemima Johnson, former widow of William Bowser, late of Company A, Fifth Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Carrie E. Keepers, widow of Amos C. Keepers, late of Company D, Fifteenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Alban H. Foster, late of Company D, First Battalion Pennsylvania Volunteer Infantry, and Company E, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isabella M. Appold, widow of Samuel A. Appold, late second assistant engineer, U. S. S. Seminole and Pinola, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Dawson, late of Company I, One hundred and ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Miller, late of Company D, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Turner, late of Company H, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William F. Gibson, late of Company E, Twelfth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jonathan Cooprider, late of Company K, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cornelia E. Combs, widow of John M. Combs, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $12 per month.

The name of Albert H. Rather, late of Company A, Fifty-second Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas E. Dittemore, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lucy A. Carter, widow of James Carter, late of Company C, Sixth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George K. Jones, late of Company F, Twenty-second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John B. Hall, late of Company K, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name fo James L. Morrison, late of Capt. John B. Kennamer's company, Alabama Scouts and Guides, and pay him a pension at the rate of $12 per month.

The name of John L. McBeth, late of Company H, Twentieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harriet L. Nichols, widow of Charles H. Nichols, late captain Company D, Sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Woolery, late of Company C, Seventy-fourth Regiment Illinois Volunteer Infantry, and One hundred and fifty-seventh Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Stephen Virtue, late of Company H, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Fountain P. Kephart, late of Company F, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mathew McKnight, alias Thomas McKnight, late of Companies K and C, Seventh Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John C. Hagen, late of Company I, Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew J. Hopper, late of Company H, Twenty-fifth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John S. Wilson, late of Company H, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Riel, late of Company D, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph B. Matthews, late of U. S. S. North Carolina, New London, and J. C. Kuhn, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Peter Hadley, late of Companies A and H, First Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Hedges, late of Company D, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Elpline, late of Company M, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert R. Dick, late of Company I, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Peter Winsor, late second lieutenant Company E, Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Margaret A. Bryant, widow of Walter B. Bryant, late of Company E, Thirty-seventh Regiment, and Company C, Twentieth Regiment, Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James H. Cloer, late of Company E, First Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Catharine A. Carruthers, former widow of John S. Babbage, late of Company K, Seventeenth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

The name of Abraham Waddle, late of Company B, First Regiment Arkansas Volunteer Infantry, and Company M, Fourth Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emil Glaser, late of Company K, Seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Seth M. Young, late of Company K, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac R. Steele, late of Company C, Twenty-eighth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles A. Howk, alias James Nelson, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sewall R. Reeves, late of Company B, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elias Pearson, late of First Battery Kansas Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isadore V. Douglass, late of Company I, Twenty-first Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ellen F. Fahey, widow of Timothy Fahey, late of U. S. S. North Carolina and Amanda, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Richard Allen, late of Company A, One hundred and thirty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sylvester F. Wallace, late of Company G, One hundred and seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James M. Hay, late of Company D, Thirty-fifth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Loren W. Lewis, late of Company E, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William M. Hovey, late of Company E, Fourth Regiment, and captain Company C, Thirteenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James Hayden, late of Company G, Seventh Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joshua Widger, late of Company F, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James J. Morrally, late of Company G, Second Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Martha W. Moore, widow of Jacob M. Moore, late of Company I, Thirteenth Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William Steadman, late of Company B, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Swartz, late of Company I, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary L. Kibler, widow of Richard Kibler, late of Company D, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $12 per month.

The name of John Chamberlain, late of Company I, Twentieth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Jones, late of Company C, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Sallie A. Palmer, widow of James H. Palmer, late second lieutenant Company H, Twelfth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of William B. Davis, late of Company H, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Moses R. Leland, late of Company E, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Adelaide Heim, former widow of Joseph W. Lowe, late of Company C, Sixty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Alonzo Fox, late of Company K, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Katie B. Meister, widow of Albert Meister, late of Third Independent Battery New York Volunteer Light Artillery, and pay her a pension at the rate of $16 per month, and $2 per month additional for each of the three minor children of said soldier until such children shall arrive at the age of 16 years, in lieu of that she is now receiving.

The name of William H. Griner, late of Company I, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eunice Ella Stockwell, widow of Charles Stockwell, late of Company F, First Battalion Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $12 per month.

The name of William H. Brown, late of Company B, Twenty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Frank, late of Company E, One hundred and fifty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles K. Beecher, late first lieutenant Company B, Eighty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Martin Norton, late second lieutenant Company G, Twentieth Regiment Illinois Volunteer Infantry, and captain and assistant adjutant general, United States Volunteers, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel M. Ream, late of Company F, Seventh Regiment Iowa Volunteer Infantry, and Company A, Seventh Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Milo A. Tucker, late of Company K, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry C. Curtis, late second lieutenant Company K, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James Taylor, late of Company B, Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edmund Gannon, late of Company I, Fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert W. Van Riper, late of Company F, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry T. Clark, late of Company C, Eighteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John E. Fulkerson, helpless and dependent child of Philip Fulkerson, late of Company F, Eighty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Lynyear Fulford, late of Company H, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James A. Burk, late of Company K, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Moroni N. Fuller, late of Company G, Seventy-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin F. Patterson, late of Company G, First Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emily Reed, widow of William Reed, late of Company B, Fifth Regiment New York Veteran Volunteer Infantry, and pay her a pension at the rate of $12 per month and $2 per month additional for each of the two minor children of said soldier until said children shall arrive at the age of 16 years.

The name of Phillip Cronin, late of Company F, First Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah Quinn, widow of James Quinn, late of Company A, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and Company C, Thirteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Michael Quinn, helpless and dependent son of said James Quinn, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah Quinn, the name of said Michael Quinn shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Sarah Quinn.

The name of Leland P. Smith, late of Company K, Sixth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob C. Rosenberger, late of Company C, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George Housman, late of Company E, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob B. Vannatter, late of Company H, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Leslie Norman, late of U. S. S. Dawn, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Maria Mulligan, widow of Joseph Mulligan, late of Company D, First Regiment New York Volunteer Engineers, and pay her a pension at the rate of $12 per month.

The name of David Sedore, helpless and dependent child of Isaac Sedore, late of Company A, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Abraham Metheny, late of Company F, Thirty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lydia S. Moore, widow of Seth Moore, late of Company G, Fourth Regiment New York Volunteer Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Henry W. Wisecup, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Augustus L. Dyer, late of Company E, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary A. Bullard, widow of David C. Bullard, late of Company H, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Joseph Fortescue, late of Company I, Seventy-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel Rothwell, late of Company H, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas J. Elton, late of Companies A and G, Third Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Waltshlager, late of Company D, First Regiment Missouri State Militia Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William T. Colbert, late of Company A, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harrison Ferguson, late of Company C, Forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Hammond, late of Company B, Fifteenth Regiment New York Volunteer Cavalry, and Company B, Second Regiment New York Provisional Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary Bolling, widow of William E. Bolling, alias Charles Davis, late of Company A, Thirty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Reuben Koch, late of Company E, One hundred and twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas Clark, late of Company I, First Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Walters, late of Company H, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Walter Scott Ingalls, helpless and dependent child of Walter Ingalls, late of Company A, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Francis W. Burnham, late of Company G, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lidda Rusmisel, former widow of Henry Judy, late of Company D, Eleventh Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

This bill is a substitute for the following House bills referred to the Committee on Invalid Pensions:

H. R. 962. Patrick Oates.
H. R. 1746. William H. Small.
H. R. 1784. Wilbur M. Root.
H. R. 1823. Siewert E. Wierman.
H. R. 2808. James L. Ballinger.
H. R. 3491. Harvey D. Parmenter.
H. R. 4587. Vincent H. Gaskill.
H. R. 5316. Gabriel Duffy.
H. R. 5722. Joseph M. Lightell.
H. R. 6531. Isaac C. Spears.
H. R. 7805. John Nichols.
H. R. 8892. George C. Stearns.
H. R. 8959. Milton Cooper.
H. R. 10072. Elizabeth Waters.

H. R. 10377. John Garrett.
H. R. 10657. Thomas Congdon.
H. R. 11538. Persis A. Gowen.
H. R. 12480. Edward W. Currigan.
H. R. 12632. Elizabeth B. Stussy.
H. R. 12707. Mary J. Harwood.
H. R. 13564. Margaret C. De Cow.
H. R. 13609. Elias Spaulding.
H. R. 13777. Malinda A. Hemstreet.
H. R. 15341. Benjamin F. Thompson.
H. R. 15887. Harriet E. Lewis.
H. R. 15989. Frank B. Smith.
H. R. 15994. Joseph E. McCabe.
H. R. 16257. Henry M. Gifford.
H. R. 16578. Samuel Creech.
H. R. 16613. Homer Stevens.
H. R. 16643. William T. Miller.
H. R. 16997. Matthias J. Brower.
H. R. 17389. Margaret Trowbridge.
H. R. 17441. John B. Eaton.
H. R. 17566. Margaret M. Stone.
H. R. 17567. Charles Bieger.
H. R. 17835. Eulalie Johnson.
H. R. 17843. Amanda M. Braley.
H. R. 18035. Thomas L. Jennison.
H. R. 18040. Samuel H. Greene.
H. R. 18278. John Croak.
H. R. 19104. E. Lyman Kellogg.
H. R. 19211. Lilburn Johnson.
H. R. 19471. William Hardenbrook.
H. R. 19581. John Battenfield.
H. R. 19911. George W. Johnson.
H. R. 19995. Thomas L. Davidson.
H. R. 20116. John Cupitt.
H. R. 20233. Isaac Bowers.
H. R. 20458. Robert Boyce.
H. R. 21398. Milton M. De Witt.
H. R. 21739. James M. Wilson.
H. R. 22410. Noah Smith.
H. R. 22916. Jacob N. Hamburger.
H. R. 23045. Thomas Griffin.
H. R. 23091. Doctor R. Hurst.
H. R. 23107. Warren M. Smith.
H. R. 23623. Joseph Crago.
H. R. 23646. Caroline K. Brennan.
H. R. 24084. Ephraim B. Wilhoit.
H. R. 24116. Samuel W. Manear.
H. R. 24179. Edmund Messenger.
H. R. 24245. William T. Little.
H. R. 24478. James S. Case.
H. R. 24977. William B. King.
H. R. 25320. Joseph P. McCorkle.
H. R. 25360. Alonzo Douthit.
H. R. 25484. George Fetzer.
H. R. 25545. Joseph Bay.
H. R. 25717. Eli Newsom.
H. R. 25728. Charles Smith.
H. R. 25748. James A. Morrow.
H. R. 25955. John H. Elkins.
H. R. 25992. Willard A. Corderman.
H. R. 26015. Lewis Gentry.
H. R. 26026. Nettie M. Howe.
H. R. 26162. Christopher C. Ghearhart.
H. R. 26302. Arietta Saxe.
H. R. 26325. Obediah A. Bigley.
H. R. 26493. Samuel E. Rice.
H. R. 26546. John M. Brown.
H. R. 26667. Hiram Gilmore.
H. R. 26674. William Graves.
H. R. 27024. Josiah Jordan.
H. R. 27035. William Powley.
H. R. 27131. Charles G. Taylor.
H. R. 27193. Benjamin B. Brown.
H. R. 27194. Charles W. Brackett.
H. R. 27220. Alonzo Ripley.
H. R. 27262. Annie T. Barclay.
H. R. 27323. William Lisle.
H. R. 27325. Solomon Blain.
H. R. 27328. Benjamin F. Ewan.
H. R. 27340. John F. Cozat.
H. R. 27345. Ellen Strong.
H. R. 27535. Melvin Seward.
H. R. 27536. John W. Yetter.
H. R. 27539. James Lynch.
H. R. 27601. Marion Fulton.
H. R. 27613. Josephus Mills.
H. R. 27615. Henry Shaffer.
H. R. 27654. John Clark.
H. R. 27659. John Lyons.
H. R. 27735. Andrew F. Sewards.
H. R. 27768. Wilson Tesson.
H. R. 27908. Edward Y. White.
H. R. 27932. Nancy A. Donaldson.
H. R. 27957. John D. Amick.
H. R. 27969. James Hogg.
H. R. 27974. Cornelius B. Ingels.
H. R. 27984. Charles Peters.
H. R. 27999. George H. Lunt.
H. R. 28051. William A. Stewart.
H. R. 28193. Jacob Kober.
H. R. 28266. Smith Redd.
H. R. 28271. George W. Howell.
H. R. 28450. Isaac Defenbaugh.
H. R. 28500. James B. Graham.
H. R. 28523. Peter Peterson.
H. R. 28538. Andrew Nelson.
H. R. 28540. Clark Hewitt.
H. R. 28587. Henry Beavers.
H. R. 28745. James W. Kimble.
H. R. 28750. Henry C. Ketchum.
H. R. 28755. Hiram B. Hawkins.
H. R. 28819. John Snyder.
H. R. 28840. John R. Ryan.
H. R. 29007. Benjamin Malam.
H. R. 29147. Margreth Drudy.
H. R. 29199. Mary E. Yaple.
H. R. 29243. Asahel Ward.
H. R. 29248. Robert Kelley.
H. R. 29255. Charles P. Ellison.
H. R. 29333. Ira B. Horner.
H. R. 29358. Levi M. Harris.
H. R. 29414. Elisha M. Darling.
H. R. 29529. Sarah Jane Lush.
H. R. 29536. John Breiner.
H. R. 29543. Mary E. Gardner.
H. R. 29612. James Y. Gooch.
H. R. 29716. Nicholas Frankhouser.
H. R. 29775. James L. Johnston.
H. R. 29819. Solomon Johnson.
H. R. 29837. Levi Lynch.
H. R. 29842. William H. Straw.
H. R. 29843. Charles W. Colbath.
H. R. 29875. Hiram Hawk.
H. R. 29876. George W. Conkle.
H. R. 29881. Elbert Sexton.
H. R. 29894. Louis P. Theurer.
H. R. 29901. Joseph Seacrist.
H. R. 29903. James Bouley.
H. R. 29918. Homer W. Johnson.
H. R. 29922. James F. Brandon.
H. R. 29997. William H. Jaquith.
H. R. 30005. John Coughlin.
H. R. 30011. Joshua Watters.
H. R. 30052. Henry C. Cutter.
H. R. 30055. Joseph Turner.
H. R. 30060. John L. Keifer.
H. R. 30207. John C. Oliver.
H. R. 30239. Nicholas Dittmore.
H. R. 30269. Samuel Haines.
H. R. 30304. George Hooper.
H. R. 30348. Jesse W. Good.
H. R. 30349. John H. Downey.
H. R. 30350. Robert F. McDonald.
H. R. 30364. Theodore M. Davis.
H. R. 30369. Andrew P. Wall.
H. R. 30426. Henry Felthoff.
H. R. 30459. Francés Miles.
H. R. 30489. John E. Agler.
H. R. 30511. Wallace A. Simmons.
H. R. 30557. Isaac Isenhart.
H. R. 30609. Franklin Van Auken.
H. R. 30654. James Akin.
H. R. 30664. John J. Thompson.
H. R. 30695. John P. Roderick.
H. R. 30766. Sarah Hook.
H. R. 30769. John B. P. Shannon.
H. R. 30771. Philip B. Stoner.
H. R. 30812. John McHugh.
H. R. 30813. Louisa Parsels.
H. R. 30869. Charles A. Engles.
H. R. 30874. William Bishop.
H. R. 30943. Charles Chrisler.
H. R. 30946. Seymour S. Peloubet.
H. R. 30947. George W. Van Wagner.
H. R. 30954. Noah Horner.
H. R. 30979. William Jones.
H. R. 31014. George W. Doty.
H. R. 31019. Daniel Davids.
H. R. 31030. John C. Dempsey.
H. R. 31086. Milton Buchanan.
H. R. 31216. Esther M. Shenick.
H. R. 31235. Frederick Yahnkee.
H. R. 31248. Harriet V. Tiernon.
H. R. 31251. Michael Cavanagh.
H. R. 31252. Franklin Lovell.
H. R. 31255. James A. Zeller.
H. R. 31263. John A. Meroney.
H. R. 31268. James W. Vandervoort.
H. R. 31289. John B. Pasley.
H. R. 31362. John J. Burtsfield.
H. R. 31363. George L. Johnson.
H. R. 31368. Lewis J. Cutter.
H. R. 31459. John Potter.
H. R. 31494. Anna C. Foulke.
H. R. 31495. William H. Vasbinder.
H. R. 31515. Jacob G. Crouse.
H. R. 31558. William F. Bell.
H. R. 31560. David Lucas.
H. R. 31569. Jemima Johnson.
H. R. 31572. Carrie E. Keepers.
H. R. 31585. Alban H. Foster.
H. R. 31607. Isabella M. Appold.
H. R. 31613. John Dawson.
H. R. 31620. William Miller.
H. R. 31631. William Turner.
H. R. 31675. William F. Gibson.
H. R. 31711. Jonathan Cooprider.
H. R. 31734. Cornelia E. Combs.
H. R. 31741. Albert H. Rather.
H. R. 31778. Thomas E. Dittemore.
H. R. 31814. Lucy A. Carter.
H. R. 31831. George K. Jones.
H. R. 31849. John B. Hall.
H. R. 31872. James L. Morrison.
H. R. 31878. John L. McBeth.
H. R. 31880. Harriet L. Nichols.
H. R. 31964. John Woolery.
H. R. 31983. Stephen Virtue.
H. R. 31994. Fountain P. Kephart.
H. R. 32024. Matthew McKnight, alias Thomas McKnight.
H. R. 32085. John C. Hagen.
H. R. 32105. Andrew J. Hopper.
H. R. 32108. John S. Wilson.
H. R. 32113. George Riel.
H. R. 32154. Joseph B. Matthews.
H. R. 32156. Peter Hadley.
H. R. 32190. George W. Hedges.
H. R. 32193. William Elpline.
H. R. 32194. Albert R. Dick.
H. R. 32254. Peter Winsor.
H. R. 32295. Margaret A. Bryant.
H. R. 32296. James H. Cloer.
H. R. 32300. Catharine A. Carruthers.
H. R. 32322. Abraham Waddle.
H. R. 32338. Emil Glaser.
H. R. 32364. Seth M. Young.
H. R. 32375. Isaac R. Stelle.
H. R. 32377. Charles A. Howk, alias James Nelson.
H. R. 32406. Sewall R. Reeves.
H. R. 32411. Elias Pearson.
H. R. 32422. Isadore V. Douglass.
H. R. 32423. Ellen F. Fahey.
H. R. 32454. Richard Allen.
H. R. 32464. Sylvester F. Wallace.
H. R. 32467. James M. Hay.
H. R. 32493. Loren W. Lewis.
H. R. 32501. William M. Hovey.
H. R. 32514. James Hayden.
H. R. 32515. Joshua Widger.
H. R. 32521. James J. Morrally.
H. R. 32523. Martha W. Moore.
H. R. 32548. William Steadman.
H. R. 32555. William Swartz.
H. R. 32561. Mary L. Kibler.
H. R. 32565. John Chamberlain.
H. R. 32569. John Jones.
H. R. 32588. Sallie A. Palmer.
H. R. 32592. William B. Davis.
H. R. 26120. Walter Scott Ingalls.
H. R. 32387. Francis W. Burnham.
H. R. 16235. Lidda Rusmisel.
H. R. 32596. Moses R. Leland.
H. R. 32597. Adelaide Heim.
H. R. 32600. Alonzo Fox.
H. R. 32601. Katie B. Meister.
H. R. 32650. William H. Griner.
H. R. 32653. Eunice Ella Stockwell.
H. R. 32689. William H. Brown.
H. R. 32692. John Frank.
H. R. 32694. Charles K. Beecher.
H. R. 32704. Martin Norton.
H. R. 32705. Samuel M. Ream.
H. R. 32734. Milo A. Tucker.
H. R. 1810. Henry C. Curtis.
H. R. 2801. James Taylor.
H. R. 7245. Edmund Gannon.
H. R. 12264. Robert W. Van Riper.
H. R. 13616. Henry T. Clark.
H. R. 14789. John E. Fulkerson.
H. R. 15335. Lynyear Fulford.
H. R. 22528. James A. Burk.
H. R. 24019. Moroni N. Fuller.
H. R. 25907. Benjamin F. Patterson.
H. R. 26142. Emily Reed.
H. R. 27054. Philip Cronin.
H. R. 28293. Sarah Quinn.
H. R. 28425. Leland P. Smith.
H. R. 28727. Jacob C. Rosenberger.
H. R. 28728. George Housman.
H. R. 28939. Jacob B. Vannatter.
H. R. 29844. Leslie Norman.
H. R. 31329. Maria Mulligan.
H. R. 31611. David Sedore.
H. R. 31897. Abraham Metheny.
H. R. 32405. Lydia S. Moore.
H. R. 32598. Henry W. Wisecup.
H. R. 32614. Augustus L. Dyer.
H. R. 32690. Mary A. Bullard.
H. R. 32703. Joseph Fortescue.
H. R. 32746. Samuel Rothwell.
H. R. 32761. Thomas J. Elton.
H. R. 32762. Joseph Waltshlager.
H. R. 32763. William T. Colbert.
H. R. 32773. Harrison Ferguson.
H. R. 32796. William Hammond.
H. R. 32797. Mary Bolling.
H. R. 31001. Reuben Koch.
H. R. 31952. Thomas Clark.
H. R. 32708. John Walters.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. Mr. Speaker, I rise to announce the death of Henry Feltholl. I have just been informed that he died recently.

Mr. SULLOWAY. Mr. Speaker, I move to amend the bill by striking out that paragraph. That is at the bottom of page 30.

The amendment was agreed to.

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

The next business on the Private Calendar was the bill (S. 10691) 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.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Jacob Souder, late of Company K, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Richard H. Bartlett, late of Company G, First Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. McGinety, late captain Company E, Seventh Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jeremiah F. Blanchard, late acting ensign, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hugh Haggerty, late of Company F, Forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Drown, late of Company A, First Regiment New Hampshire Volunteer Light Artillery, and Company A, Ninth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James C. Brown, late of Company C, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary A. Hortshorn, widow of Dana W. Hartshorn, late surgeon, United States Volunteers, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of John Blevins, late of Company D, Forty-ninth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George B. Black, late of Company H, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Arey, late of U. S. S. Ohio, Minnesota, and Alert, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harry G. Morton, late of Company E, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hannah Lee, widow of Joseph A. Lee, late of Twenty-fourth Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Eli Avery, late of Company B, Seventh Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elmer Strickland, late of Company B, Sixth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Blue, late of Company I, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Oscar H. Ford, late of Company H, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lemuel Dougherty, late of Company F, Forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Asa N. Callahan, late of Company B, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James A. Dunlap, late of Company B, First Regiment, and Company L, Third Regiment, Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Frederick R. Miller, late lieutenant colonel One hundred and forty-fourth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Blush, late of Company C, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Lewis, late of Second Battery Iowa Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Horatio N. Jenks, late of Company F, First Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Josiah Ackerman, late of Company B, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert Miller, late of Company H, Sixteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. McMullen, late of Company H, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elijah Knapp, late of Company I, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adoniram Judson Morgan, late of Company C, Ninth Regiment Illinois Volunteer Cavalry, and Company I, Sixth Regiment Michigan Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William V. Hopkins, late of Company K, Seventy-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Reuben Hurley, late of Company F, Fourth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George F. Johnson, late of Company A, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. White, late of Company E, One hundred and fourteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jairus D. Backus, late of Company D, One hundred and twenty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Cooney, late of Company C, Second Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thaddeus Parr, late of Company G, Twentieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Kinsey, late of Company D, One hundred and forty-seventh Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mathew Harris, late of Company B, Seventy-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Eber. W. Fosbury, late of Company B, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John J. Robinson, late of Company H, Eleventh Regiment West Virginia Volunteer Infantry, and unassigned, Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Masters, late first lieutenant Company G, and captain Company B, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry W. Bradley, late of Company M, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Robinson, late of Company I, Seventh Regiment Wisconsin Volunteer Infantry, and Company A, Third Regiment Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Michael Boston, late of Company E, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Earhart, late of Company D, Second Regiment Colorado Volunteer Infantry, and Company M, First Regiment Colorado Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Chancy W. Rickerd, late of Company I, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph A. Durham, alias Joseph Anson, late of Company A, Sixty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Baird, late of Company I, Second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Samuel M. Bragg, late of Company A, First Regiment Maine Volunteer Cavalry, and Company K, First Regiment District of Columbia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joel P. Colvin, late of Company C, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank B. Carey, helpless and dependent son of Daniel J. Carey, late of Company G, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and Company E, Third Regiment Veteran Reserve Corps, and pay him a pension at the rate of $12 per month.

The name of Thomas C. Boggess, late of Company I, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary E. Havens, widow of Joseph H. Havens, late paymaster's clerk, United States Navy, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James M. Owen, late of Company G, Second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hiram Hoover, late of Company A, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Murlin, late of Company H, Fifth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry H. Parmenter, late of Company H, Sixteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dorious Noel, late second lieutenant Company I, Ninety-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lemuel Cohee, late of Company B, Eleventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Abraham G. Hendryx, late of Company A, First Regiment Illinois Volunteer Cavalry, and Company I, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Christopher C. Jones, late of Company I, Seventh Regiment, and Company E, Sixth Regiment, Kentucky Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Wood, late of Company I, Thirteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ellen Hungerford, former widow of John T. Consaul, late second lieutenant Company B, First Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of John F. Grayum, late first lieutenant Company E, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Corydon G. Ireland, late of Company E, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Myron Heffron, late of Company B, First Regiment Michigan Engineers and Mechanics, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Julius Blessin, late of Company A, Twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John Freeman, late of Patterson's independent company, Kentucky Volunteer Engineers and Mechanics, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary C. At Lee, widow of Goodwin Y. At Lee, late of Company A, Third Battalion District of Columbia Militia Infantry, and pay her a pension at the rate of $12 per month.

The name of Henry R. Playford, late of Company G, Ninety-second Regiment, and Company I, Sixty-fifth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Franklin D. Morton, late of Company D, Eleventh Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Calvin L. Johnson, late of Company K, One hundred and forty-third Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Anderson, late captain and assistant quartermaster, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel P. Travis, late of Company H, Ninety-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas Goodwin, late of Company C, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Hugh Price Wilson, late of Company C, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Susan Reppeto, widow of John G. Reppeto, late of Company G, Eighty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John H. Reid, late of Company K, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William R. Grumley, late of Company G, Fourteenth Regiment Connecticut Volunteer Infantry, and Company D, Twenty-fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Hitchcock, late of Company H, Forty-ninth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert S. Granger, late first lieutenant Company G, Eighteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harrison C. Boyster, late of Company D, Seventeenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Lenan, late of Company L, Thirty-second Regiment Massachusetts Volunteer Infantry, and Company A, First Battalion, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Roth, late of Company D, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Richard L. Sturges, late of Company F, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James A. Morgan, late of Company K, One hundred and fifty-ninth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George M. Roberts, late of Company A, Nineteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David J. Bowman, late of Company K, Eighty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edwin W. Haynes, late of Company A, One hundred and seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary A. Charles, widow of Francis M. Charles, late of Company H, Eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Harrison F. Roberts, late of Battery K, Fourth Regiment United States Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Erastus Smith, late of Company D, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Fisher, late of Company C, Twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William George Stark, late of Company B, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Warren P. Dwinnells, late of Company H, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Orrin C. Leonard, late of Company G, Seventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Albert Koch, late of Company F, Ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel Moles, late of Company D, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James M. C. Jackson, late of Company B, Forty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Clark, late of Company I, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles A. Rowell, late of Company I, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John C. Neel, late of Company B, Two hundred and sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph Shannon, late of U. S. S. Macedonia, Katahdin, and North Carolina, United States Navy, and Company F, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John Chandler, late of Company F, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John C. Ward, late of Company H, First Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Daniel Jordan, late of Company H, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Milton Pendergast, late of Company B, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Gorden, late of Company I, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Victoria M. Steele, widow of Samuel Steele, late chaplain Seventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Charles M. Renshaw, late second lieutenant Company H, Twenty-third Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Silas Fish, late of Company G, First Regiment Wisconsin Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Valentine Lungwitz, late of Company C, Fourteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catherine M. Walker, widow of John D. Walker, late captain Company E, Eleventh Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sherman McBratney, late of Company M, Tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James Rude, late of Company H, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Michael Farrington, late of Company K, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Haggerty, late of Company C, Eighteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Phelps, late of Company E, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert Tarbet, late of Company B, Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jasper N. Kinman, late of Company F, Tenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Henry Wentworth, late of Company C, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Noyes, late of Company D, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Warren F. Reynolds, late of Fourteenth Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Orin Kimball, late of Company F, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William C. Hoffman, late of Company F, Seventy-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph C. Kitchen, late captain and assistant quartermaster, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac M. Couch, late of Company E, Forty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Lindsey, late of Company H, Fourth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob Pinkett, late of Company C, Thirtieth Regiment United States Colored Volunteer Infantry, and landsman, U. S. S. Wabash, St. Lawrence, and Ben Morgan, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James B. West, late of Company H, First Regiment Delaware Volunteer Infantry, and Company B, First Regiment Delaware Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John S. Smith, late of Company I, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Adelaide A. West, former widow of Lorenzo M. Atwood, late of Company A, Sixth Regiment Vermont Volunteer Infantry, and widow of Robert C. West, late of Company A, Sixteenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Aaron Welty, late of Company H, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah M. Peterson, widow of Charles G. A. Peterson, late first lieutenant Company D, First Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The name of William M. Wall, late of Company B, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank E. Martell, late of Company H, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Bethana Aseltine, widow of Alanson M. Aseltine, late of Company F, Tenth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Lucie W. Carter, widow of Mason Carter, late captain, Fifth Regiment United States Infantry, and major, United States Army, retired, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Charles M. Merritt, late of First Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Carpenter, late captain Company I, and major, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William P. D. Foss, late of Company C, First Battalion, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Richard M. J. Coleman, late of Company K, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Emma J. Blake, widow of William H. Blake, late of Company F, Twelfth Regiment New Hampshire Volunteer Infantry, and Company D, First Regiment Veteran Reserve Corps, and pay her a pension at the rate of $12 per month.

The name of Andrew G. Scott, late of Company F, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Alphonso H. Mitchell, late of Company B, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of twenty-four dollars per month in lieu of that he is now receiving.

The name of Fannie S. Haskell, widow of Joseph L. Haskell, late of Companies K and C, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George W. Shaw, late of Company G, Eightieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John B. Dean, late of Company A, First Battalion Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John C. Whittaker, late of Company M, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harriet W. Wilkinson, widow of Charles Wilkinson, late second lieutenant Company K, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Alonzo J. Mosher, late of Company G, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas H. Whitman, late of Company E, Ninth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Jenkins, late of Company K, Forty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Timothy Egan, late second lieutenant Company F, Thirty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Uriah Renner, late of Company E, Eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mahala Fausey, widow of William H. Fausey, late of Company D, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary V. Webster, widow of George O. Webster, late major, Fourth Regiment United States Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Alonzo Hoding, late of Company D, Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Rickstrew, late of Company D, Sixtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alice L. Walker, widow of John Walker, late of Company B, Twenty-sixth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The name of Nathan Baker, late of Company A, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elizabeth A. Marr, widow of James B. Marr, late of Company F, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of death of Arthur R. Marr, helpless and dependent child of said James B. Marr, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Elizabeth A. Marr the name of the said Arthur R. Marr shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Elizabeth A. Marr.

The name of John Conroy, late of U. S. S. North Carolina, Otsego, and Wyalusing, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas B. Pulsifer, late of Company D, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

This bill is a substitute for the following Senate bills referred to the Committee on Invalid Pensions:

S. 303. Jacob Souder.
S. 712. Richard H. Bartlett.
S. 1244. William A. McGinety.
S. 3225. Jeremiah F. Blanchard.
S. 3226. Hugh Haggerty.
S. 3319. John Drown.
S. 3423. James C. Brown.
S. 3426. Mary A. Hartshorn.
S. 3429. John Blevins.
S. 3448. George B. Black.
S. 4097. William Arey.
S. 4100. Harry G. Morton.
S. 4214. Hannah Lee.
S. 4387. Eli Avery.
S. 4488. Elmer Strickland.
S. 4975. John Blue.
S. 5090. Oscar H. Ford.
S. 5091. Lemuel Dougherty.
S. 5172. Asa N. Callahan.
S. 5232. James A. Dunlap.
S. 5349. Frederick R. Miller.
S. 6004. Samuel Blush.
S. 6240. Joseph Lewis.
S. 6420. Horatio N. Jenks.
S. 6512. Josiah Ackerman.
S. 6653. Albert Miller.
S. 6699. George W. McMullen.
S. 6718. Elijah Knapp.
S. 6836. Adoniram Judson Morgan.
S. 7125. William V. Hopkins.
S. 7162. Reuben Hurley.
S. 7350. George F. Johnson.
S. 7354. William H. White.
S. 7411. Jairus D. Backus.
S. 7412. Thomas Cooney.
S. 7413. Thaddeus Parr.
S. 7591. John Kinsey.
S. 7682. Mathew Harris.
S. 7702. Eber. W. Fosbury.
S. 7704. John J. Robinson.
S. 7790. Robert Masters.
S. 7850. Henry W. Bradley.
S. 7862. George W. Robinson.
S. 7867. Michael Boston.
S. 7883. David Earhart.
S. 7893. Chancy W. Rickerd.
S. 7894. Joseph A. Durham (alias Joseph Anson).
S. 7929. William Baird.
S. 7930. Samuel M. Bragg.
S. 7939. Joel P. Colvin.
S. 7963. Frank B. Carey.
S. 8016. Thomas C. Boggess.
S. 8073. Mary E. Havens.
S. 8098. James M. Owen.
S. 8151. Hiram Hoover.
S. 8152. William Murlin.
S. 8203. Henry H. Parmenter.
S. 8272. Dorlous Neel.
S. 8277. Lemuel Cohee.
S. 8279. Abraham G. Hendryx.
S. 8370. Christopher C. Jones.
S. 8371. John Wood.
S. 8428. Ellen Hungerford.
S. 8442. John F. Grayum.
S. 8458. Corydon G. Ireland.
S. 8507. Myron Heffron.
S. 8540. Julius Blessin.
S. 8585. John Freeman.
S. 8602. Mary C. At Lee.
S. 8638. Henry R. Playford.
S. 8639. Franklin D. Morton.
S. 8674. Calvin L. Johnson.
S. 8745. George W. Anderson.
S. 8784. Samuel P. Travis.
S. 8798. Thomas Goodwin.
S. 8805. Hugh Price Wilson.
S. 8815. Susan Reppeto.
S. 8827. John H. Reid.
S. 8852. William R. Grumley.
S. 8853. Albert Hitchcock.
S. 8854. Albert S. Granger.
S. 8857. Harrison C. Boyster.
S. 8919. William Lehan.
S. 8927. Charles Roth.
S. 8937. Richard L. Sturges.
S. 8938. James A. Morgan.
S. 8940. George M. Roberts.
S. 8944. David J. Bowman.
S. 8945. Edwin W. Haynes.
S. 8969. Mary A. Charles.
S. 8972. Harrison F. Roberts.
S. 8984. Erastus Smith.
S. 8989. Daniel Fisher.
S. 8993. William George Stark.
S. 9071. Warren P. Dwinnells.
S. 9080. Orrin C. Leonard.
S. 9081. Albert Koch.
S. 9082. Samuel Moles.
S. 9101. James M. C. Jackson.
S. 9169. Robert Clark.
S. 9171. Charles A. Rowell.
S. 9205. John C. Neel.
S. 9216. Joseph Shannon.
S. 9234. John Chandler.
S. 9287. John C. Ward.
S. 9322. Daniel Jordan.
S. 9323. Milton Pendergast.
S. 9337. John Gorden.
S. 9372. Victoria M. Steele.
S. 9382. Charles M. Renshaw.
S. 9407. Silas Fish.
S. 9408. Valentine Lungwitz.
S. 9459. Catherine M. Walker.
S. 9460. Sherman McBratney.
S. 9470. James Rude.
S. 9480. Michael Farrington.
S. 9502. James Haggerty.
S. 9551. George W. Phelps.
S. 9591. Robert Tarbet.
S. 9709. Jasper N. Kinman.
S. 9734. Henry Wentworth.
S. 9736. William Noyes.
S. 9737. Warren F. Reynolds.
S. 9746. Orin Kimball.
S. 9807. William C. Hoffman.
S. 9840. Joseph C. Kitchen.
S. 9844. Isaac M. Couch.
S. 9872. James Lindsey.
S. 9910. Jacob Pinkett.
S. 9913. James B. West.
S. 9947. John S. Smith.
S. 9952. Adelaide A. West.
S. 9990. Aaron Welty.
S. 10051. Sarah M. Peterson.
S. 10125. William M. Wall.
S. 10131. Frank E. Martell.
S. 10132. Bethana Aseltine.
S. 10170. Lucie W. Carter.
S. 10193. Charles M. Merritt.
S. 10196. George W. Carpenter.
S. 10202. William P. D. Foss.
S. 10265. Richard M. J. Coleman.
S. 10287. Emma J. Blake.
S. 10325. Andrew G. Scott.
S. 10334. Alphonso H. Mitchell.
S. 10358. Fannie S. Haskell.
S. 10370. George W. Shaw.
S. 10374. John B. Dean.
S. 10387. John C. Whittaker.
S. 10391. Harriet W. Wilkinson.
S. 10405. Alonzo J. Mosher.
S. 10406. Thomas H. Whitman.
S. 10419. James Jenkins.
S. 10420. Timothy Egan.
S. 10426. Uriah Renner.
S. 10430. Mahala Fausey.
S. 10445. Mary V. Webster.
S. 10481. Alonzo Hoding.
S. 10493. William H. Rickstrew.
S. 10494. Alice L. Walker.
S. 10495. Nathan Baker.
S. 10535. Elizabeth A. Marr.
S. 10600. John Conroy.
S. 10625. Thomas B. Pulsifer.

Mr. SULLOWAY. Mr. Speaker, I move to amend, on page 4, by striking out lines 3, 4, 5, and 6, the beneficiary, Elmer Strickland, being dead.

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

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

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

The next business on the Private Calendar was the bill (S. 10818) 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.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of James R. Vassar, late of Company G, Fifteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles L. Randall, late medical cadet, United States Army, and assistant surgeon, United States Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving .

The name of Amos Stewart, late of Company F, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Armstead Fletcher, late of Company E, First Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Spray, late of Company C, Thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David C. Nigh, late of Company C, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Josephus Clark, late of Company G, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles Maxwell Waterman, late of Company B, Thirty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eli F. Holland, late of Company C, Ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David E. Fisher, late of Company E, One hundred and thirty-sixth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George F. Woods, late of Company G, Fifty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Olive C. Dodge, widow of Joseph O. Dodge, late of Company G, Twelfth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William Carpenter, late of Company G, Ninth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elvira E. Chase, widow of Thomas Chase, late of Company K, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Joseph D. Power, late of Company F, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lydia J. Taylor, widow of Martin Taylor, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George H. Wallace, late of Company E, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Richard W. Capen, late of Company I, Fourteenth Regiment, and Company H, Forty-eighth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John D. Trevallee, late of Company A, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Margaret H. Flint, widow of Wilbur F. Flint, late of Twenty-sixth Independent Battery, New York Volunteer Light Artillery, and second lieutenant Company B, Tenth Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $12 per month.

The name of Francis M. Webb, late of Company A, Second Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he now receiving.

The name of George F. Cooper, late of Company D, Twenty-first Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Anton Zwinge, late of Company G, Ninth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James W. Ward, late of Company I, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank W. Sencebaugh, late of Company L, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William N. Johnson, late of Company K, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas H. Morris, late of Company F, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William C. Knox, late of Signal Corps, United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elijah C. Davey, late of Twelfth Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert H. Johnson, late of Company I, Eleventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James W. Broom, late of Company F, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Annie G. Long, widow of James W. Long, late captain, Second Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of George W. Rauch, late of Company I, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Alfred Anderson, late of Company M, Sixteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John H. Iott, late of Company C, Battalion United States Engineers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Francis M. Ross, late of Company B, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of General L. Boso, late of Company D, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harvey W. Hewitt, late of Company D, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Francis M. Truax, late of Company E, Thirteenth Regiment Missouri Volunteer Infantry; Company E, Twenty-second Regiment Ohio Volunteer Infantry; and Companies D and E, First Regiment Mississippi Marine Brigade Volunteer Infantry; and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Patrick H. Conarty, late of Company G, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Patrick J. Conway, late captain Company G, Ninety-eighth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John Richardson, late of Company E, One hundred and twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph M. Alexander, late of Company M, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John E. Moon, late first lieutenant Company B, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David Riel, late of Company G, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Meece, late of Company D, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Chesley Payne, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Elizabeth Lucas, widow of Benjamin M. Lucas, late of Company F, Twenty-seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Robert Bell, late of Company D, Thirtieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Joseph Hiler, late of Company G, Third Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew Pea, late of Company E, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Oliver Yake, late of Company K, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Nobles, late of Company F, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Stephen E. Taylor, late of Company H, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin F. Johnston, late of Company A, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Freeborn H. Price, late of Company A, Ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles H. Lamphier, late of Company F, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Patrick O'Brien, late of Company E, Tenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Malinda Wilson, widow of George Wilson, late of Capt. Ferris's company, First Regiment Northeast Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Fannie Ladd, widow of James A. Ladd, late captain Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edward Tippens, late of Company C, Seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Kinsman Boso, late of Company A, Ninth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Burris, late of Company I, Fifteenth Regiment, and Company I, Tenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles C. Edwards, late of Company D, Fourteenth Regiment Connecticut Volunteer Infantry, and general service, United States Army, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ellen M. Corsa, widow of William H. Corsa, late of Company G, Seventh Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Alexander McDonald, late of Company E, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isaac N. Dysard, late of Company F, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. Hills, late hospital steward, United States Army, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ira A. Kneeland, late of Company H, Tenth and Twenty-ninth Regiments Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Fernando S. Philbrick, late of Company G, Twenty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Chandler Swift, late of Company F, Twenty-third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Pleasant H. Latimer, late of Company D, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Bigley, late of Troop E, Third Regiment United States Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Gosset, late of Company B, Thirty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Murray, late of Company H, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Swinburn, late of Company A, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Morris Thomas, late of Company C, First Battalion, and commissary sergeant Sixteenth Regiment, United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Gullien Tullion, late of Third Independent Battery Minnesota Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel A. Sanders, late of Company I, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Winfield S. Janes, late of Company E, Sixth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William H. Fields, late of Company F, First Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Solomon Peck, late of Company B, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank J. Clark, late of Company D, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin Bortz, late of Company G, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Cyrus Wilson, late of Company G, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Perkins H. Bagley, jr., late of Company E, First Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Alfred L. Tucker, late of Company H, Eighteenth Regiment, and first lieutenant Company C, Thirty-second Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Francis J. Trowe, late of Company C, Second Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Melissa J. Kauffman, widow of Solomon Kaufman, late captain Company L, Third Regiment Indian Home Guards, Kansas Volunteers, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Lewis H. Shiery, late of Company E, Thirty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew Marsh, late of Company H, One hundred and fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William W. Fraser, late of Company I, Ninety-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph C. Monk, late of Company D, Eighty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eli N. Swerdfeger, late of Company I, Thirteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David H. Frink, late of Nineteenth Independent Battery New York Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eli Adams, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin F. Fulton, late of Company B, Eighth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frederick Shulley, late of Company G, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of David Stanard, late of Company A, One hundred and eighty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel Younker, late of Company C, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin Bennett, late of Companies K and F, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Margaret J. Brownell, widow of David Brownell, late of Company G, Seventy-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of T. Price Line, late quartermaster sergeant, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Rose E. White, widow of Jacob O. White, late of Company K, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of John Hines, late of Company D, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Austin Betters, late of Company K, Tenth Regiment Vermont Volunteer Infantry, and Battery E, First Regiment United States Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Thomas Posey, late of Company G, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Henry McBrien, late of Company D, Eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Arthur W. Cox, late hospital steward, Nineteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. H. Ranger, late of Company B, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James M. Chambers, late of Company A, Sixty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary C. Galbraith, widow of William J. Galbraith, late first lieutenant Signal Corps, United States Army, and pay her a pension at the rate of $12 per month.

The name of Wright T. Ellison, late of Company F, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin T. Stevens, late of Company D, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Richard Dent, late of Company A, Fiftieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Rose, late of Company G, First Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mark Smith, late of Company H, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $55 per month in lieu of that he is now receiving.

The name of William B. Knapp, late of Company C, One hundred and fourth Regiment New York Volunteer Infantry, and Company K, Second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Mary P. Meade, widow of Robert L. Meade, late brigadier general United States Marine Corps, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of William W. Edwards, late of Company F, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Essie Pursel, helpless and dependent daughter of Thomas C. Pursel, late captain Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Andrew Schoonmaker, late of Company H, Forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Jacob Mathews, late musician, band, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George W. Fouts, late of Company A, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. McAllister, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Charles H. McCarroll, late of Company L, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward J. Miller, late of Eighteenth and Twenty-fifth Independent Batteries New York Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John M. Staples, late of Company I, Fifth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Harry G. Bingner, late of Company E, One hundred and thirty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Theodore Clark, late of Company I, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Michael Wiar, late of Companies G and B, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William McGlone, late of Company D, Ninety-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Alexander Wilson, late of Company A, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Calvin Buntan, late of Company B, Eightieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Lucia W. Huxford, widow of William P. Huxford, late captain Company G, One hundred and sixty-second Regiment New York Volunteer Infantry, and major, United States Army, retired, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of James Doyle, late of Company K, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles O. Chapman, late of Company D, Eleventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John S. Cilley, late second lieutenant Company B, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Thompson, late of Company E, One hundredth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Benjamin F. B. Holmes, late of Company C, First Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ida M. Elder, widow of Alvah Elder, late of Company K, Thirtieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Thomas Loughney, late of Company L, Seventh Regiment, and Company A, First Regiment, Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William U. Thayer, late of Company C, Twenty-fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Walsh, late of Company B, Third Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate $24 per month in lieu of that he is now receiving.

The name of Marcellus E. McKellup, late of Company G, Tenth Regiment Kentucky Volunteer Cavalry, and Company C, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George T. Kerans, late of Company H, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Byron Rudy, late of Company C, Sixteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William A. Leech, late of Company I, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anna H. Fitch, widow of Butler Fitch, late captain Eighth Independent Battery New York Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Andrew J. Fogg, late first lieutenant Company B, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Otis Johnson, late of Company B, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph P. Pittman, late of Company K, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry G. Tuttle, late of Company E, Forty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William Hise, late of Company C, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James H. Morley, late of Company C, Twenty-sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Frank N. Jameison, late of Company G, Eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edward J. Moss, helpless and dependent child of Benjamin R. Moss, late of Company G, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month.

This bill is a substitute for the following Senate bills referred to the Committee on Invalid Pensions:

S. 49. James R. Vassar.
S. 150. Charles L. Randall.
S. 361. Amos Stewart.
S. 689. Armstead Fletcher.
S. 1431. George W. Spray.
S. 2463. David C. Nigh.
S. 2532. Josephus Clark.
S. 2770. Charles Maxwell Waterman.
S. 3883. Eli F. Holland.
S. 4168. David E. Fisher.
S. 4177. George F. Woods.
S. 4469. Olive C. Dodge.
S. 4543. William Carpenter.
S. 4643. Elvira E. Chase.
S. 4883. Joseph D. Power.
S. 4979. Lydia J. Taylor.
S. 4994. George H. Wallace.
S. 5209. Richard M. Capen.
S. 5231. John D. Trevallee.
S. 5241. Margaret H. Flint.
S. 5347. Francis H. Webb.
S. 5590. George F. Cooper.
S. 5772. Anton Zwinge.
S. 6025. James W. Ward.
S. 7079. Frank W. Sencebaugh.
S. 7214. William N. Johnson.
S. 7236. Thomas H. Morris.
S. 7345. William C. Knox.
S. 7391. Elijah C. Davey.
S. 7439. Robert H. Johnson.
S. 7581. James W. Broom.
S. 7613. Annie G. Long.
S. 7754. George W. Rauch.
S. 7881. Alfred Anderson.
S. 7979. John H. Iott.
S. 8012. Francis M. Ross.
S. 8034. General L. Boso.
S. 8078. Harvey W. Hewitt.
S. 8079. Francis H. Truax.
S. 8204. Patrick H. Conarty.
S. 8212. Patrick J. Conway.
S. 8271. John Richardson.
S. 8288. Joseph M. Alexander.

S. 8291. John E. Moon.
S. 8350. David Riel.
S. 8372. William H. Meece.
S. 8374. Chesley Payne.
S. 8377. Elizabeth Lucas.
S. 8378. Robert Bell.
S. 8420. Joseph Hiler.
S. 8441. Andrew Pea.
S. 8448. Oliver Yake.
S. 8476. Charles Nobles.
S. 8495. Stephen E. Taylor.
S. 8496. Benjamin F. Johnston.
S. 8497. Freeborn H. Price.
S. 8552. Charles H. Lamphier.
S. 8597. Patrick O'Brien.
S. 8675. Malinda Wilson.
S. 8731. Fannie Ladd.
S. 8817. Edward Tippens.
S. 8818. Kinsman Boso.
S. 8836. William Burris.
S. 8855. Charles C. Edwards.
S. 8856. Ellen M. Corsa.
S. 8858. Alexander McDonald.
S. 8859. Isaac N. Dysard.
S. 8866. William H. Hills.
S. 8889. Ira A. Kneeland.
S. 8893. Fernando S. Philbrick.
S. 8897. Chandler Swift.
S. 8925. Pleasant H. Latimer.
S. 8926. John Bigley.
S. 8975. William H. Gosset.
S. 8977. Thomas Murray.
S. 9022. William Swinburn.
S. 9209. Morris Thomas.
S. 9210. Gullien Tullion.
S. 9217. Samuel A. Sanders.
S. 9257. Winfield S. Janes.
S. 9261. William H. Fields.
S. 9265. Solomon Peck.
S. 9284. Frank J. Clark.
S. 9293. Benjamin Bortz.
S. 9294. Cyrus Wilson.
S. 9350. Perkins H. Bagley, jr.
S. 9414. Alfred L. Tucker.
S. 9444. Francis J. Trowe.
S. 9458. Melissa J. Kauffman.
S. 9545. Lewis H. Shiery.
S. 9548. Andrew Marsh.
S. 9562. William W. Fraser.
S. 9564. Joseph C. Monk.
S. 9567. Eli N. Swerdfeger.
S. 9593. David H. Frink.
S. 9609. Eli Adams.
S. 9612. Benjamin F. Fulton.
S. 9628. Frederick Shulley.
S. 9631. David Stanard.
S. 9680. Daniel Younker.
S. 9696. Benjamin Bennett.
S. 9700. Margaret J. Brownell.
S. 9703. T. Price Line.
S. 9704. Rose E. White.
S. 9735. John Hines.
S. 9741. Austin Betters.
S. 9752. Thomas Posey.
S. 9753. Henry McBrien.
S. 9792. Arthur W. Cox.
S. 9820. William H. H. Ranger.
S. 9861. James M. Chambers.
S. 9867. Mary C. Galbraith.
S. 9937. Wright T. Ellison.
S. 9939. Benjamin T. Stevens.
S. 10004. Richard Dent.
S. 10042. John Rose.
S. 10047. Mark Smith.
S. 10060. William B. Knapp.
S. 10062. Mary P. Meade.
S. 10064. William W. Edwards.
S. 10142. Essie Pursel.
S. 10150. Andrew Schoonmaker.
S. 10195. Jacob Mathews.
S. 10199. George W. Fouts.
S. 10222. George W. McAllister.
S. 10237. Charles H. McCarroll.
S. 10303. Edward J. Miller.
S. 10306. John M. Staples.
S. 10335. Harry G. Bingner.
S. 10340. Theodore Clark.
S. 10360. Michael Wiar.
S. 10393. William McGlone.
S. 10459. Alexander Wilson.
S. 10460. Calvin Buntan.
S. 10501. Lucia W. Huxford.
S. 10504. James Doyle.
S. 10511. Charles O. Chapman.
S. 10515. John S. Cilley.
S. 10587. James H. Thompson.
S. 10615. Benjamin F. B. Holmes.
S. 10639. Ida M. Elder.
S. 10645. Thomas Loughney.
S. 10650. William U. Thayer.
S. 10652. John Walsh.
S. 10654. Marcellus E. McKellup.
S. 10655. George T. Kerans.
S. 10656. Byron Rudy.
S. 10659. William A. Leech.
S. 10673. Anna H. Fitch.
S. 10674. Andrew J. Fogg.
S. 10689. Otis Johnson.
S. 10697. Joseph P. Pittman.
S. 10698. Henry G. Tuttle.
S. 10717. William Hise.
S. 10729. James H. Morley.
S. 10776. Frank N. Jameison.
S. 10797. Edward J. Moss.

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

The next business on the Private Calendar was the bill (S. 10817) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Charles B. Flynn, late of Company K, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $10 per month.

The name of George N. Holden, late of Company D, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Humphrey L. Carter, late of Capt. P. C. Noland's Company B, Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of John Kenney, late of Company I, Ninth Regiment United States Infantry, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of Duncan A. Gray, late of Thirteenth Company, United States Volunteer Signal Corps, War with Spain, and pay him a pension at the rate of $15 per month.

The name of William P. Armstrong, late of Battery H, Third Regiment United States Artillery, War with Spain.

The name of Christopher J. Rollis, late captain Company G, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel S. Householder, late of Company K, Third Regiment Missouri Volunteer Infantry, and Company F, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $15 per month.

The name of Jesse P. Steele, late of Capt. McRay's company, Nauvoo Legion, Utah Volunteers, Utah Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of Lillian A. Wilmot, widow of Willie C. Wilmot, late of Company C, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the minor children of the said Willie C. Wilmot until they reach the age of 16 years.

The name of George E. Seneff, late of Company K, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of William L. Parks, late of Capt. Benjamin Cherry's company, Tennessee Volunteers, Florida Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of John A. West, late of Capt. C. Hancock's cavalry company, Nauvoo Legion, Utah Volunteers, Utah Indian war, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of Jen Rody Chauncey, late of Company H, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $16 per month.

The name of Gilford Ratliff, late of John S. Ford's company, Texas Volunteers, Texas and New Mexico Indian wars, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of Polk R. Kyle, late of James H. Callahan's company, Texas Volunteer Rangers, Indian wars, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of John D. Smith, late of the United States Navy, and pay him a pension at the rate of $30 per month.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 3968. Charles B. Flynn.
S. 6710. George N. Holden.
S. 8616. Humphrey L. Carter.
S. 8833. John Kenney.
S. 9151. Duncan A. Gray.
S. 9868. William P. Armstrong.
S. 10043. Christopher J. Rollis.
S. 10137. Samuel S. Householder.
S. 10285. Jesse P. Steele.
S. 10343. Lillian A. Wilmot.
S. 10403. George E. Seneff.
S. 10480. William L. Parks.
S. 10588. John A. West.
S. 10686. Jen Rody Chauncey.
S. 10708. Gilford Ratliff.
S. 10709. Polk R. Kyle.
S. 10814. John D. Smith.

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

AMOS M. BARBIN.

The next business on the Private Calendar was the bill (H. R. 22270) for the relief of Amos M. Barbin.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Amos M. Barbin shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a sergeant of Company A, Fifth Regiment West Virginia Volunteer Cavalry, on the 25th day of May, 1863: *Provided*, That no pension shall accrue prior to the passage of this act.

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

CHARLES T. GALLAGHER AND SAMUEL H. PROCTOR.

The next business on the Private Calendar was the bill (S. 608) for the relief of Charles T. Gallagher and Samuel H. Proctor.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Charles T. Gallagher and Samuel H. Proctor shall hereafter be held and considered to have been mustered into the military service of the United States as musicians of the First Unattached Company, Massachusetts Militia Infantry, on April 28, 1864, the date of their enrollment: *Provided*, That no pay, bounty, or back pension shall accrue or become payable by virtue of the passage of this act.

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

JAMES M. SWEAT.

The next business on the Private Calendar was the bill (S. 7640) for the relief of James M. Sweat.

The bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws James M. Sweat, late of the Third United States Dragoons, Capt. John S. Sitgreaves's company, War with Mexico, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 31st day of July, 1848: *Provided*, That no pay, bounty, or other emolument shall accrue or be payable by virtue of this act, and that the pensionable status herein granted shall date from the approval of this act.

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

DAVID JAY JENNINGS.

The next business on the Private Calendar was the bill (S. 7804) for the relief of David Jay Jennings.

The bill was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, David Jay Jennings, who was a private in Company A, Second Regiment Connecticut Volunteer Heavy Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 8th day of November, 1864.

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

On motion of Mr. SULLOWAY, a motion to reconsider the several votes by which the above bills were passed was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I offer the following resolution and move a suspension of the rules for its adoption.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and agree to the following resolution, which will be reported by the Clerk.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 32909, entitled "A bill making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes."

That the first reading of the bill in the Committee of the Whole House shall be by title and not otherwise;

Second, the consideration under the five-minute rule shall begin immediately after the title shall have been read, and the following portions only of the bill shall be open to consideration under the five-minute rule:

(*a*) The appropriation to enable the President to secure information under section 2 of the last tariff act, page 2.

(*b*) The appropriation for the investigation of departmental methods, pages 2 and 3.

(*c*) The appropriation for raising and removing the wreck of the battleship *Maine* (p. 118).

(*d*) The appropriation for rearranging and reconstructing the Hall of the House of Representatives (p. 211).

(*e*) The appropriation for canal fortifications (p. 229).

(*f*) And any original propositions that are germane and authorized by law not included in said bill.

Third. That upon the conclusion of the foregoing items in Committee of the Whole the committee shall rise and report the bill with all amendments to the House, with the recommendation that the bill do pass.

Mr. FITZGERALD. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from New York demands a second. Under the rule a second is ordered. The gentleman from Minnesota [Mr. TAWNEY] is entitled to 20 minutes and the gentleman from New York [Mr. FITZGERALD] to 20 minutes.

Mr. TAWNEY. Mr. Speaker, I think that all Members of the House will recognize the fact, by merely turning to the last page of this bill, which is page 232, that if it is to pass the House in time for any consideration whatever in the other body, some arrangement must be made for its consideration in some manner other than under the ordinary or regular rules of the House.

In the first place, let me say, Mr. Speaker, that, realizing that there would be more or less congestion in the House during the closing weeks of the session, and that it would not be possible to pass this bill in the House under the ordinary rules, the subcommittee having in charge the preparation of this bill have devoted more time and more care to the investigation of the estimates and to their recommendations to the full committee than has ever been done by a subcommittee on the sundry civil bill since I have been a member of the committee.

Ordinarily the hearings at a short session do not cover a great many pages; but you will observe that the hearings on this sundry civil bill, including the index, which contains only a few pages, cover 967 pages. That is exclusive of the hearings on canal fortifications and also exclusive of the hearings on the canal estimates.

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

Mr. TAWNEY. I have no time to yield just now. I will yield in a moment. So that this proposition excepts for consideration the items that are controverted or that in any way involve the question of politics or the adoption of new policies.

The first item excepted is the appropriation for the investigation by the President authorized in the last paragraph with respect to the cost of production at home and abroad. The second is in respect to the appropriation of $75,000 for the investigation into the departmental methods. Then the question of additional appropriation, which is very large, very much beyond what was stated would be necessary, the appropriation for the raising or removing of the wreck of the battleship *Maine*.

Also the appropriation for the fortification of the canal, which involves the inauguration of an entirely new policy, and which proposition ought to be considered fully and with great care by the House.

The propositions mainly that are to be reported back to the House with a recommendation that they do pass are the public-building items. In respect to these items I will say to the House that every dollar of money estimated by the Treasury Department as being possible for them to spend in the next fiscal year is carried in this bill and recommended by the Committee on Appropriations.

The same is true of the river and harbor revised estimates of the War Department. All that the department has estimated can be expended in the next fiscal year is recommended in this bill.

The other parts of the bill to be reported back to the House with a favorable recommendation are the annual appropriations for the various departments of the Government, including the field service.

Mr. HULL of Iowa. Will the gentleman yield at that point?

Mr. TAWNEY. Certainly.

Mr. HULL of Iowa. I see on page 109 the gentleman's committee has transferred the entire expense of the President's automobiles, carriages, and horses to the Quartermaster General of the Army and makes the Army carry that expense hereafter?

Mr. TAWNEY. I beg the gentleman's pardon, that is not the appropriation. It does not impose any expense on the War Department. It merely enables the Executive to tear down the old stable he has there now and keep the horses at the quartermaster's stable. It does not provide for maintenance of the horses, but simply to keep them in the quartermaster's stable.

Mr. HULL of Iowa. Will the gentleman yield for me to read the provision?

Mr. TAWNEY. I will.

Mr. Hull of Iowa (reading):

The Quartermaster General of the Army shall hereafter provide suitable accommodations for and maintenance of the horses, carriages, and other vehicles of the President, etc.

Mr. TAWNEY. That is not the purpose of that provision at all. It is not for the maintenance of the horses; it is the maintenance of the shed or the stable in which the horses are to be kept, and the reason for that is the fact that the stable has been condemned by the veterinarians, and the War Department has consented because they have more space in the barn than the quartermaster needs; the War Department has consented that the automobiles and horses of the Executive may be housed in that department stable. That is the only change authorized.

Mr. HULL of Iowa. Will the gentleman consent to strike out the words "and maintenance of"?

Mr. TAWNEY. If the gentleman thinks it is necessary, yes.

Mr. HARRISON. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. HARRISON. Will the gentleman state how much time was devoted to this bill by the full committee, a bill carrying $140,000,000?

Mr. TAWNEY. About twice as much time as is usually devoted to it—three hours.

Mr. HARRISON. Three hours to a bill appropriating $140,000,000?

Mr. TAWNEY. Yes.

Mr. HARRISON. And now the gentleman comes in here and asks us to pass this bill practically under suspension of the rules, when only three hours have been devoted to it by the Appropriation Committee.

Mr. TAWNEY. The gentleman misstates what I said. The subcommittee of the Committee on Appropriations on this bill devoted to it more than eight weeks.

Mr. HARRISON. But the full committee has only given it three hours' consideration.

Mr. TAWNEY. The full committee is always in touch with the subcommittee.

Mr. HARRISON. I think it is too much power put in the hands of a few men.

Mr. LENROOT. Will the gentleman yield?

Mr. TAWNEY. Certainly.

Mr. LENROOT. If this rule is adopted, no points of order will lie against items in the bill?

Mr. TAWNEY. No.

Mr. LENROOT. There is new legislation in the bill?

Mr. TAWNEY. There is no original legislation in the bill except that where appropriations have already been made; there are no original propositions.

Mr. LENROOT. I noticed one on page 91, for instance, relating to the Interstate Commerce Commission, changing the method of the election of the chairman of the commission.

Mr. TAWNEY. Well, I will say to the gentleman that does relate to administration, and the reason for it was this: The two men who had conducted the investigations or negotiations between railroad employees and their employers were the former chairman of the Interstate Commerce Commission and the Chief of the Bureau of Labor. The chairman of the Interstate Commerce Commission has been promoted and is now chief justice of the Commerce Court. He is acquainted with the representatives of labor organizations and is acquainted with the questions that arise, and this change is for the purpose of enabling the President of the United States and the labor organizations to get the benefit of his experience and knowledge with respect to negotiations for the settlement of controversies of that kind. That is the only reason for that change.

Mr. KEIFER. Do we understand that the excepted matters that are subject to consideration under the five-minute rule are also subject to the points of order?

Mr. TAWNEY. Points of order may be made. They are all subject to the rules that apply in the Committee of the Whole

under the five-minute rule, subject to points of order, and subject to amendment as well.

Mr. BARTLETT of Georgia. When the resolution was read, as I understood, there was put into this category of questions that might be considered the items which propose to re-form this House of Representatives and to appropriate $360,000 for that purpose.

Mr. TAWNEY. That is excepted.

Mr. BARTLETT of Georgia. I am glad of that. I do not want that change made.

Mr. TAWNEY. Mr. Speaker, before I reserve the balance of my time I desire to say one other thing, and that is that the provision under F is for the purpose of enabling the Members of the House to offer in Committee of the Whole propositions that are germane and authorized by law, but not included in this bill. I will say that the gentleman from Maryland [Mr. TALBOTT] came to me a moment ago and requested the opportunity to offer an amendment to the appropriation for the immigrant station at the city of Baltimore. The appropriation that stands in the bill is $10,000. The appropriation as recommended by the committee and which was sent to the Printing Office was $110,000, so that original propositions that are germane to this bill and not included in it may be included. It is doubtless true that in several other cases the committee has omitted entirely items that Members think ought to be carried in this bill, and that have heretofore been carried in the bill, and they will have the opportunity of offering amendments of that character to the bill.

Mr. O'CONNELL. Will it be possible to offer an amendment to strike out a part of an appropriation?

Mr. TAWNEY. Of these excepted items, yes.

Mr. PEARRE. Will the gentleman offer that amendment with regard to the immigration station at Baltimore?

Mr. TAWNEY. Certainly.

Mr. TALBOTT. The gentleman from Minnesota will accept that amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to make an inquiry on the line of the one that has just been made; it is just a question.

The SPEAKER. The Chair has no power in the premises.

Mr. MOORE of Pennsylvania. I am sure the gentleman from Minnesota will answer the question which I propose to put.

Mr. TAWNEY. Mr. Speaker, if the gentleman will wait until I take the floor again I will be very glad to answer his question. Possibly the gentleman from New York [Mr. FITZGERALD] can answer it.

Mr. FITZGERALD. Mr. Speaker, the House should understand exactly the meaning of the proposed rule. This bill carries $140,000,000 of appropriations, and under the operation of this resolution, if it be adopted, the House will have an opportunity to consider items which carry $4,075,000. The other items, carrying $136,000,000, will be passed by the House without even being read for the information of the Members. It is true, as the gentleman from Minnesota [Mr. TAWNEY] has said, that the subcommittee which had charge of this bill devoted perhaps more time to its consideration and preparation than had been devoted ever before in the history of the Congress. Through the unfortunate illness of the gentleman from Kentucky [Mr. SHERLEY], he was unable to be present during the greater part of the consideration of the bill, so that so far as the minority is concerned but one Member of the minority has had the full and complete opportunity to know everything about the provisions contained in the bill.

This bill was reported to the House yesterday. It appears in print available for the use of Members of the House for the first time this morning, and before an opportunity is given to Members of the House to ascertain the provisions that are in the bill it is proposed that they vote in favor of a resolution that will prevent the bill being read for their information, or, after they have had an opportunity to ascertain what it contains, in any way attempt to modify the provisions, with the exception of the six provisions enumerated in this resolution. There are some circumstances, Mr. Speaker, under which I should be willing to pass a bill carrying these great sums in such a manner, but the situation does not exist at present which requires any such action on the part of this House. I shall not assume the responsibility of asking this House upon my assertion that items are proper and correct to pass a bill with $136,000,000 of appropriations in it, with which the Members are not familiar and have had no opportunity to familiarize.

It may be that if this House had had some time, ample time, to scrutinize this bill and to determine for itself whether the items were satisfactory, if the exigencies of the case demanded it, I should support a motion to pass the bill under suspension of the rules, but no such emergency exists at present.

Mr. JOHNSON of South Carolina. Will the gentleman yield for a question?

Mr. FITZGERALD. Yes.

Mr. JOHNSON of South Carolina. I want to say to the gentleman from New York that I went to the committee room of the Committee on Appropriations to get a copy of the hearings upon the bill in order that I might familiarize myself with the contents of the bill, and they were not printed and were not ready. That was day before yesterday.

Mr. FITZGERALD. The uniform practice has been not to make the hearings public until the committee has acted upon the bill, and as the bill was not acted upon by the committee until yesterday, it would account for the inability of the gentleman to obtain copies of the hearings until yesterday.

Mr. BARTLETT of Georgia. May I inquire of the gentleman if it would be possible and practicable to start in with the discussion of this bill, and after it had been under discussion in the Committee of the Whole House on the state of the Union, if it should develop the necessity of such a rule, we could then determine whether we should pass it? But we should not pass it before we know what is in the bill.

Mr. FITZGERALD. A stronger reason for my objection exists than that stated by the gentleman from Georgia. There is no disposition upon this side of the House unnecessarily to occupy time upon this bill. The naval appropriation bill was passed in two days without any attempt to waste time or delay it. Never in my experience in the House was the naval bill considered and enacted so quickly. There is no necessity for this bill reaching the Senate before Monday. This House can afford to sit late to-night, early to-morrow, late to-morrow evening, and, if necessary, part of Sunday and on Monday in a proper consideration of this bill. It did sit for two nights, or a greater part of them, to prevent the consideration of a bill.

There is no good reason why it should not spend at least an equal amount of time in the consideration of a bill of so much importance to the House and to the country, and so far as I am concerned, Mr. Speaker, I shall not support this resolution, because I would not, I repeat, assume the responsibility of asking Members of this House to vote to appropriate of the public revenues $136,000,000 for services that they have not had an opportunity to inquire into or exercise any judgment upon. It seems to me, so far as I am aware, there is no disposition to occupy time in general debate upon this bill, and much of it will be passed over without any controversy, but I believe it is an important matter that the House should have an opportunity properly to consider the various items and to determine their action upon this bill. How much time have I used, Mr. Speaker?

The SPEAKER. The gentleman has 13 minutes remaining.

Mr. FITZGERALD. I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, it so happens that I have very little personal knowledge of the hearings or items in this bill, due to my absence from Washington on account of illness, but had I been in attendance at every hearing and had I intimate knowledge of every item of the bill, I would not want to be one of five men to assume the responsibility at this time of asking the House to take our judgment and pass the bill practically without consideration. There is no bill that is brought before Congress that covers such a multitude of subjects or needs more careful scrutiny than the sundry civil appropriation bill.

Its very name indicates its character. It starts with the reindeer in Alaska and winds up with the Samoan chiefs in the middle of the Pacific and misses practically nothing in between. In order that the House may have some little idea of some of the numerous items that are carried in this bill relating to subjects of importance, while the discussion was going on I hastily jotted down a few of the things that are covered—for instance, appropriations for Alaska, armories and arsenals, Lighthouse Service, the newly created Bureau of Mines, Coast and Geodetic Survey, Customs Service, Revenue-Cutter Service, Immigration Service, Bureau of Fisheries, Geological Survey, Government Printing Office, internal revenue, Department of Justice, Life-Saving Service, military posts, national homes, marine hospitals, public land. I had only time to get down that far.

Mr. COOPER of Wisconsin. And the Panama Canal.

Mr. SHERLEY. Unquestionably. Part of the Panama Canal is exempted under the rule, but only that part relating to fortifications.

Now, this is only a quick summary of a few items, and, as stated by my colleague, here is a bill carrying $141,000,000, and the House is to be given an opportunity to express its judgment upon $4,000,000 of it—certainly a very "generous" proposition!

I do not believe, and I do not believe the history of past Congresses warrants the notion, that we must pass this bill in this way in order to pass it at all. Take the short sessions of previous Congresses and you will see that this bill has been brought in just about this time in the session. We can, by attending to our business here, cutting out useless talk, cutting out general debate, and remaining in session during the day, to-night for several hours, to-morrow and to-morrow night for several hours, and, if necessary, as stated by the gentleman from New York [Mr. FITZGERALD], some of Sunday, we can present this bill to the Senate by Monday morning in ample time for consideration there.

There is no disposition on the part of this side of the House to unnecessarily delay matters, but it is asking too much of the House that the judgment of five men should be taken in the appropriation of $141,000,000. It is true the whole Committee on Appropriations considered the matter, but they considered it to this extent, which is usual, of new legislation which was in the bill and as to some of the major items, but it is impossible for that committee, with the work that it has, to go into a detailed examination of a bill of this kind, and only the subcommittee can do it.

I have not had time to count the number of instances of new legislation contained in this bill, but there are quite a number of them, justifiable in my judgment, and yet I am not so sure that my judgment is always right that I am willing to ask this House to accept it on matters not within the regular business of an appropriation bill; and yet that is the proposition presented by the gentleman from Minnesota [Mr. TAWNEY]. Let us turn in diligently and perform our duties here. If it so happens we do not get through in time the fault will not be ours, but let us not shirk our duties and pass the bill without consideration. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, I hope the House will vote down this gag rule. Democrats are not trying to delay legislation at the end of this session. They are willing to cooperate with the other side of the Chamber to secure the proper and orderly passage of the proper bills through this House. The offering of this rule shows more clearly than anything else could do the fault of the system of investigation by the Appropriations Committee of this House—I mean investigation by subcommittee. Only two Democrats have had any opportunity to investigate these appropriations. Here is a bill of 232 pages carrying $140,000,000. Only two Democrats have had any opportunity to examine into the features of that bill. To be sure they are two of the best fighting Democrats in the House, but it is not fair to ask them to assume complete responsibility for their party in the premises.

This bill is one of those that excites most controversy year after year. It usually takes from 10 days to two weeks to pass it through the House. The Committee on Appropriations in full committee devoted but three hours to the consideration of the bill. This does not reflect in any way upon the members of the subcommittee of the Appropriations Committee, but, at least, we might be given an opportunity to express a difference of judgment, if any there be, as to these appropriations.

Gentlemen in this House who have been fighting for a liberalization of the rules to diffuse the powers of this assembly among the respective Members of the House should vote against a rule which places the most important function of the House of Representatives in the hands of five Members. Why, Mr. Speaker, the hearings, even, have not been printed. There is not a Member of this House who has had an opportunity to examine into this bill outside the members of this committee.

Mr. SMITH of Iowa. I will say to the gentleman that all of the hearings have been printed in considerable number, and they are accessible to every Member of the House.

Mr. HARRISON. When were they printed, may I ask? This morning only.

Mr. MACON. The bill itself was filed in this House only yesterday evening.

Mr. HARRISON. Yes; as the gentleman from Arkansas [Mr. MACON] well says, the bill itself was filed in this House only yesterday evening; and I protest against this endeavor to ram down the throats of the House of Representatives the most important appropriation bill of the session and pass it under a suspension of the rules. I hope the House will vote it down.

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

Mr. FITZGERALD. Mr. Speaker, in justice to the Committee on Appropriations and its members I am impelled to make a statement in reply to my colleague the gentleman from New York [Mr. HARRISON]. All of the minority members of the Committee on Appropriations have had a full opportunity not only to know but to take part in the investigation of all of the bills in the Committee on Appropriations. While certain of the Members are specificially assigned to that work, the others are not excluded from it, and I am constrained to say, after an experience of six years, that to make the thorough and exhaustive examination and investigation required in the preparation of these bills I have come to the conclusion that, with more than five men designated to conduct the investigation, the hearings, as will be disclosed from an examination of hearings conducted where more than five men are assigned to that work, inevitably contain more of discussion between the investigators than they contain of replies from the men under examination. [Laughter.] I believe I should make this statement to correct an erroneous impression resulting from the statements of my colleague.

I yield, Mr. Speaker, the balance of my time to the gentleman from Georgia [Mr. BARTLETT]. How much time is it, Mr. Speaker?

The SPEAKER. Four minutes.

Mr. BARTLETT of Georgia. Mr. Speaker, I am not at this time in favor of this resolution, first, because I do not believe it is necessary in order to dispose of the business before the House and to pass this bill; nor am I willing to vote for a resolution which, if adopted, will prevent the consideration and discussion of many important items in this bill.

The gentleman from Minnesota says that in order to prevent an extra session it is necessary to adopt this resolution. This is another reason that we hear this morning why there shall be an extra session. We have seen in the newspapers and heard it stated as coming from high authority that we are to have an extra session in order to accomplish something else—in order to have considered and passed the Canadian reciprocity tariff bill.

For one, while I do not want to have an extra session, I want to state that if we shall have an extra session, as one Democrat I propose to vote and insist upon voting for a general reduction of the tariff between all the nations of the world before we proceed to take up any special legislation with respect to the tariff with any particular nation of the world. [Applause.]

I am opposed to this resolution which proposes that this bill shall be considered in this way, because this bill finds its way into the House about two days later than is usually the case with the sundry civil bill at a short session, and it is not necessary now to adopt such a measure in order to complete the public business.

Mr. ADAMSON. Will the gentleman permit a question?

Mr. BARTLETT of Georgia. If I have time; yes.

Mr. ADAMSON. If the President calls an extra session, will it not be tacitly understood that he intends to sign the tariff bill that we shall pass?

Mr. BARTLETT of Georgia. I do not think it can be understood as to just what the President will do, judging from recent expressions that, it is said, have come from the White House.

Now, there are many important matters in this bill. I am willing to stay here, and I am confident many Members of both sides of the House are willing to stay here and devote all the time that may be necessary to the consideration of this bill and to pass it decently and in order and not pass it in the manner proposed by this resolution. Let us undertake to pass it in the usual way, and if we find we have not time and can not do so, then we can resort to drastic methods and not resort to them now, when, at the beginning of the consideration of this bill we have not had time to read the bill or consider it at all and when the Members have not had sufficient time to examine the hearings taken before the committee which reported it. Let us not blindly proceed to consider the most important appropriation bill that the Congress is called on to enact and pass a law appropriating one hundred and forty odd millions of dollars without the bill even being read or it being suggested that it can be amended or without the opportunity to strike out items which are embraced in it contrary to the rules of the House and which may be subject to a point of order.

Mr. TAWNEY. Will the gentleman from Georgia permit me?

Mr. BARTLETT of Georgia. Yes.

Mr. TAWNEY. That statement is not exactly correct.

Mr. BARTLETT of Georgia. What statement?

Mr. TAWNEY. That no opportunity will be given for the consideration of any items in the bill or points of order.

Mr. BARTLETT of Georgia. I know what the rule is.

Mr. TAWNEY. The gentleman did not state it, if he knows it.

Mr. BARTLETT of Georgia. It is not necessary for me to state what every man in the House knows, unless it is the gentleman from Minnesota. [Applause on the Democratic side.] I said that this bill, excepting the items provided for in this resolution, appropriates some $136,000,000, and that there is to be

no opportunity to consider any part of the bill except the items provided for in the resolution. That is what I stated, and the gentleman knows I knew it, and he knows that everybody else who has paid any attention to the reading of the resolution knew it, and it was unnecessary for him to make any such unwarranted suggestion as that.

That is all I desire to say. I will not vote for this rule now. In order to carry on the public business, in order to avert an extra session, I may vote for a rule at a later time in the session, which may be necessary to pass this bill; but I will not vote for it now.

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

Mr. BARTLETT of Georgia. Certainly.

Mr. CLAYTON. It might be profitable for us to stay here two or three nights to consider this bill.

Mr. BARTLETT of Georgia. Yes.

Mr. CLAYTON. And I judge that the opposition would be willing to spend two or three nights in the high patriotic endeavor properly to consider a legislative measure of this importance and to save money to the people.

Mr. BARTLETT of Georgia. I think so, when they remained here two nights, and forced others to remain, in an effort to prevent the payment of just claims due to the creditors of the United States. [Applause.]

Mr. TAWNEY. Mr. Speaker, I want to use only four minutes of my time, and I will ask the Speaker to notify me when that time is consumed.

I want to call the attention of the House to the fact that the first 61 pages of this bill cover items authorizing appropriations for the purchase of sites and the construction of public buildings. The gentleman from Georgia [Mr. BARTLETT] is opposed to this rule, because, as he says, it affords no opportunity for making points of order. I do not know whether he has reference to the items in this bill which are subject to points of order, placed there at his request, but nevertheless it is true that there are some items here which increase the limits of cost where the Committee on Public Buildings and Grounds, after consideration, recommends such action on the part of the Committee on Appropriations, because of mistakes that were made in previous bills.

But, Mr. Speaker, they talk about jamming the bill through the House of Representatives. Unless some such measure as this is agreed to, it will be jammed through the other House of Congress without any consideration whatever. We know the character of amendments usually put on this bill in the other branch of Congress, and there will be no opportunity for consideration of such amendments at this session of Congress unless some such measure as this is agreed to.

Many Members in this House will recollect the scene witnessed on the floor of this House when, a few years ago, the House of Representatives was held up by one Senator for the purpose of coercing the House into an agreement in favor of an appropriation that nobody denies was unjust and unnecessary and unauthorized by law.

It is for the purpose of saving some time to the House for the consideration of the Senate amendments, not only on this bill, but on other House bills, that I have offered this provision.

And I want to call the attention of the House to the fact that this is not the first time that it has been proposed to pass the sundry civil bill under a suspension of the rules. It has been done frequently without any opportunity whatever given to the House for the consideration of controverted matters, such as is proposed in this rule. Every item of difference of any consequence carried in this bill is excepted in the rule or in the resolution which I offered. The time for consideration of these items is not limited under the five-minute rule, except as the rules of the House limit their consideration. The public building items, the appropriation for the Treasury Department, the collecting of revenues, the appropriation for the Bureau of Engraving and Printing, the appropriation for the Government Printing Office, the appropriation for the Soldiers' Home, the appropriation for the Interior Department, including the Land Service, the appropriation for the War Department, the appropriation for the Interstate Commerce Commission are all appropriations that pertain to the administrative affairs of the Government. There is nothing new in that, as I said before, except where some legislation was necessary in the administration of the appropriation, which necessity has arisen as a result of the experience of the department.

If we are going to consider this bill under the ordinary rules of the House, if we pass it at all, it will be too late for the House to give any consideration whatever to the propositions that we know are now pending and ready to be placed on it when it reaches the other end of the Capitol.

Mr. Speaker, I yield the balance of my time to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, this bill must pass both Houses and the conference report be agreed to in both Houses by a week from to-night or it can not pass at this session, because it takes all of Friday night to enroll the bill and have it signed by the President by noon of Saturday. If that be true, and this resolution be not adopted, it is beyond hope that this bill can get to the Senate to-morrow night. Unless this bill goes to the Senate to-morrow night it is practically impossible for the Senate committee to consider this bill and pass the bill through the Senate and give any substantial time for the conferees.

Mr. HARRISON. Will the gentleman yield?

Mr. SMITH of Iowa. Not now; I will later. If this bill has no time for consideration in the conference committee, it will mean the loss of millions in all probability to the people. That is our uniform experience, that we must have some time to thrash these matters out in conference, running into 250 or 300 amendments, if millions are not to be wasted.

These gentlemen who have been on this subcommittee complain that the House has not had adequate time to consider these questions. The gentleman from New York said that his colleague from New York and the gentleman from Kentucky were two of the ablest Members on the Democratic side. I say that they are two of the ablest Members on either side, and that their fidelity can not be questioned. [Applause.] Every Democratic Member of the whole committee has had an opportunity to attend these eight weeks of hearings.

Day before yesterday the bill was in the committee room for the observation of every Democratic Member of the committee, and has been there ever since. Yesterday it was considered by the whole committee, and yet all these gentlemen who are talking about gag law fail to point out one single item that needs consideration in this House that is not embraced in the resolution offered by the gentleman from Minnesota [Mr. TAWNEY]. Every man who votes against this resolution votes to bind and tie the hands of the House conferees and jeopardize millions of the public money, when he knows that every item in this bill has been carefully scrutinized by economic, prudent, able, careful Democrats, who would not report in favor of the expenditure of money needlessly. This resolution is therefore a resolution not only for economy of time but for economy of money. This resolution provides for the orderly transaction of business and not for a hasty and ill-considered action. It is somewhat amusing that gentlemen who but the other day were willing to discharge the Committee of the Whole House on the state of the Union from the consideration of a great tariff measure, to cut off every single amendment, and to put the bill upon its passage without reading are now shocked at a gag rule that takes up for specific consideration every proposition known to be in dispute in this bill and allows it to be fully fought out upon the floor of the House, and only asks that those measures, those provisions that have not been criticized be passed.

Mr. SHERLEY. Will the gentleman yield?

Mr. SMITH of Iowa. Yes.

Mr. SHERLEY. Does not the gentleman know that, for instance, items relating to the Geological Survey are always a matter of dispute and amendment on this floor?

Mr. SMITH of Iowa. I know that in this bill so completely is everything asked by the Geological Survey granted that the old fight is not in the bill this year.

Mr. SHERLEY. Well, but sometimes the position of men is not determined by the department.

Mr. TAWNEY. If my colleague will permit me, I will say the controversy heretofore has been over appropriations for the Technological Branch of the Geological Survey, which has now been transferred to the Bureau of Mines.

Mr. SHERLEY. Neither of the gentlemen means to say to this House that only the items contained in this rule are the items about which there is controversy.

Mr. SMITH of Iowa. I want to say right in that connection that I was one of those who went through this bill and conscientiously picked out the items that we thought would be in serious dispute in this House and put them into this resolution, and not one of the gentlemen familiar with this bill has undertaken to state to the committee a single matter that was in dispute in the committee or that he thought would be in dispute in the House and not excepted in this resolution.

The SPEAKER. All time has expired. The question is on suspending the rules and agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. FITZGERALD) there were—ayes 137, noes 108.

So (two-thirds not having voted in favor thereof) the motion was rejected.

Mr. TAWNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 32909, the sundry civil appropriation bill. Pending that motion, I ask the gentleman from New York if we can agree upon any time for general debate?

Mr. FITZGERALD. No one, so far as I am aware, desires any time on this side.

Mr. TAWNEY. Then I ask unanimous consent that general debate be closed in ten minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that general debate on this bill be closed in committee in 10 minutes. Is there objection?

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I would like to suggest to the gentleman from Minnesota that I believe we can expedite the consideration of the bill by dispensing with the reading of some of the items relating to public buildings.

Mr. TAWNEY. I am going to ask unanimous consent to dispense with the reading of the bill entirely.

Mr. SHERLEY. I understand that, but should we not ask unanimous consent now to dispense with the reading of some particular items?

Mr. TAWNEY. We can do that in Committee of the Whole.

The SPEAKER. The Chair hears no objection and it is so ordered. The question is on the motion of the gentleman from Minnesota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill, with Mr. MANN in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 32909) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes.

Mr. TAWNEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

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

Mr. TAWNEY. Mr. Chairman, reference has been made in debate on the resolution that has just been under consideration to the amount carried in this bill. The aggregate amount is $141,115,030.62. The total estimates, including the regular estimates and the supplemental estimates, for appropriations under the sundry civil bill aggregate $155,576,633.99. The committee has reduced the estimates in the aggregate $14,461,503.37. The aggregate of this bill is in excess of the current sundry civil law. That excess, however, consists of two items. There is carried in this bill $16,579,725 more on account of public buildings than was carried in the current sundry civil act. The appropriations carried in this bill for the Isthmian Canal are in the aggregate $45,560,000, as against $37,885,000 carried in the current law. The appropriations for fortifying the canal are $3,000,000, which makes the total of $10,705,000 carried in this bill on account of the Panama Canal greater than the appropriations carried in the current law.

Now, it is not necessary, Mr. Chairman, for me to go into any lengthy explanation of any of the items of the bill inasmuch as the bill will be read under the five-minute rule. Every paragraph and any item can be fully explained when it is reached. I want to call the attention, however, of the committee to the fact that the committee, as a result of a very careful investigation of the estimates and scrutiny of the demands of the departments, has reduced the estimates more than $14,000,000. The committee also in the investigation of the estimates went to the Panama Canal and personally conducted hearings on the estimates there on the ground, as has been the custom of the committee for four years now, or almost ever since the beginning of the canal construction; and I hope before the adjournment of this Congress that some provision will be made to enable Members of the House who are now members and will be members of the Committee on Appropriations in the next Congress to visit the canal and there personally examine the estimates for canal appropriations for the fiscal year 1913. I am convinced after several visits there for that purpose that the result is a saving to the people of the United States in the expenditures that are going on on that zone. Two years ago, or a year ago last November, the committee visited the canal and investigated the canal estimates for expenditures for the fiscal year 1911. As a result of that visit the estimates for the canal were reduced over $11,000,000, and I express the hope now that opportunity will be given to Members of the House who will have this subject under consideration in the next Congress to visit the canal for the purpose of investigating canal estimates. I do not wish to occupy any more time, and I ask for a reading of the bill.

The Clerk read as follows:

EXECUTIVE.

To enable the President to secure information to assist him in the discharge of the duties imposed upon him by section 2 of the act entitled "An act to provide revenues, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, and the officers of the Government in administering the customs laws, including such investigations of the cost of production of commodities, covering cost of material, fabrication, and every other element of such cost of production, as are authorized by said act, and including the employment of such persons as may be required for those purposes; and to enable him to do any and all things in connection therewith authorized by law, $400,000, to continue available until the close of the fiscal year 1913, together with the balance unexpended July 1 next of the appropriation made for these purposes for the fiscal year 1911.

Mr. FITZGERALD. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FITZGERALD. The paragraph is subject to the point of order because of the words contained in lines 14 and 15—

To continue available until the close of the fiscal year 1913.

This is one of the annual appropriation bills, and it provides the money for the support of the Government for the next fiscal year. Under the covering-in act any money appropriated for the service of the Government for a fiscal year remaining unexpended at the expiration of two years must be covered into the Treasury. The attempt to continue this appropriation available during the fiscal year 1913 is in fact to extend the appropriation made at this time beyond the two years fixed in the covering-in act. Moreover, Mr. Chairman, as this is a bill making annual appropriations for the support of the Government there is no authority that I have been able to find which justifies the appropriation for some future period beyond the fiscal year for which the appropriation is to be made.

The CHAIRMAN. Does the gentleman from New York contend this would be in contravention of the covering-in act?

Mr. FITZGERALD. The effect of it is.

The CHAIRMAN. In what respect, the Chair would ask?

Mr. FITZGERALD. It extends the time within which the appropriation will be available one year. Under the covering-in act an appropriation for a fiscal year is available two years beyond the expiration of the fiscal year.

Mr. TAWNEY. Will my colleague permit me to ask him a question there?

Mr. FITZGERALD. Yes.

Mr. TAWNEY. If your contention is right, then the covering-in act would prevent permanent appropriations such as are made at every session of Congress, because these permanent appropriations are made for an indefinite period of time.

Mr. FITZGERALD. I am not aware of any permanent appropriations that are made at every session of Congress. Permanent appropriations are made, and they continue available under the express terms of the covering-in act.

Mr. TAWNEY. I meant the continuing appropriations that are made by Congress every session. I did not mean permanent annual appropriations.

Mr. FITZGERALD. We reappropriate. We have the authority to reappropriate, and in that way it becomes a new enactment. But this does one of two things—it either changes the law by curtailing the time for which the appropriation was made available under the covering-in act or else it extends it beyond the time it is made available during the covering-in act. Under the covering-in act the appropriation for the fiscal year 1912 is available for two years after the expiration of that year. This purports to limit it to one year.

Mr. SMITH of Iowa. Oh, no. The gentleman misapprehends the meaning of it.

Mr. FITZGERALD. I may misapprehend what you intended to do, but I do not misapprehend the effect of this language.

Mr. SMITH of Iowa. I think the gentleman does.

Mr. FITZGERALD. And if it does not do that, Mr. Chairman, it does extend an appropriation made in this bill for the next fiscal year beyond the two years in which it must be covered into the Treasury.

Mr. GOULDEN. Will my colleague yield? I would like to ask him when this covering-in act takes effect, whether from the date of the passage of this bill or from the time the appropriation under it becomes available?

Mr. SMITH of Iowa. Neither.

Mr. GOULDEN. I wanted to find out when the two years began and when they would end.

Mr. SMITH of Iowa. It does not begin at either time suggested by the gentleman.

Mr. FITZGERALD. The covering-in act is in force all the time, and it applies to the appropriation at the time it becomes available. All of this appropriation is available the 1st of July, 1911.

Mr. SMITH of Iowa. If the gentleman will pardon an interruption, the covering-in act provides simply this: An appropriation for a fiscal year can only be used for expenses or contracts or obligations of that fiscal year. Until the passage of the covering-in act they could pay on contracts made within the fiscal year or the expenses of the fiscal year for any number of years in advance. The covering-in act simply provided that after the expiration of two years from the end of the fiscal year, if the appropriation was for the fiscal year, the money should be covered into the Treasury. That is what is known as the covering-in act. So it is to begin from the end of the period for which the appropriation is made. And in this case the appropriation is made for the next two years, and therefore would be two years from the end of the period for which the appropriation was made.

Mr. FITZGERALD. That is contrary to the practice of the House which has existed from the foundation of the Government and which has become as firmly fixed as one of its rules.

Mr. SMITH of Iowa. The words "to be available until expended" have appeared in nearly every appropriation and appear probably 50 times in this bill.

Mr. FITZGERALD. And they continued in it because nobody has taken them out on points of order.

Mr. SMITH of Iowa. You said it was contrary to the practice of the House.

Mr. FITZGERALD. It is clearly a violation of the rule. I call the attention of the Chair to a decision in volume 4 of Hinds's Precedents, to the effect that the general appropriation bills, except deficiencies, provide for the next fiscal year. While there is no written rule of the House limiting the appropriations carried in the bill for the next fiscal year, the uniform practice of the House since the foundation of the Government has confined these appropriations to one fiscal year.

The CHAIRMAN. Can the gentleman from New York [Mr. FITZGERALD] inform the Chair, under the covering-in act, if this appropriation were only made available for the next fiscal year, when the covering-in act would require the unexpended balance to be covered back into the Treasury in the general fund?

Mr. FITZGERALD. Well, the covering-in act provides——

Mr. TAWNEY. If the gentleman from New York will permit me——

Mr. FITZGERALD. All unexpended balances that shall have remained on the books of the Treasury for two years——

Mr. TAWNEY. For two fiscal years——

Mr. FITZGERALD. For two fiscal years, shall be carried to the surplus fund and covered into the Treasury.

Mr. TAWNEY. But there will be no balance in this until the end of the second fiscal year. The money is appropriated for two years.

Mr. FITZGERALD. Under the construction of the gentleman from Minnesota it would be possible in this bill to appropriate for three fiscal years, and as there would be no balance at the end of any fiscal year but the third the covering-in act would not apply until the end of the fifth year.

The CHAIRMAN. Is the gentleman from New York or the gentleman from Minnesota able to inform the Chair whether an appropriation made for the next fiscal year under the covering-in act would be covered into the surplus fund on July 1, 1913, or on July 1, 1914?

Mr. FITZGERALD. It would be July 1, 1914.

Mr. SMITH of Iowa. It would if the appropriation was for one fiscal year.

Mr. FITZGERALD. July 1, 1914.

Mr. SMITH of Iowa. Three years from July 1 next. If this were an ordinary fiscal-year appropriation, the balance would be carried to the surplus fund and covered into the Treasury.

Mr. FITZGERALD. I submit that, from the admission of the gentleman, this is, in effect, an amendment of the covering-in act, because that act makes the appropriation available only for the fiscal year 1913.

The CHAIRMAN. The Chair is prepared to rule. The item in the bill makes the appropriation continue available until the close of the fiscal year 1913. The covering-in act referred to, section 5 of a bill enacted in 1874 (18 Stat. L., p. 110 of pt. 3), provides that—

From and after the 1st day of July, 1874, and each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury.

Then certain exceptions are provided for which do not include the item in this bill.

It will be noted that the law only requires that "unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years" shall be carried to the surplus fund. That law will still operate if this item is enacted into law. The Chair can not see how it changes that law in the slightest degree.

Mr. SHERLEY. Will the Chairman permit a question?

The CHAIRMAN. Yes.

Mr. SHERLEY. Part of this section refers to an unexpended balance which may exist on July 1 next, which it is undertaken to reappropriate and make available until 1913. Now, if this section should be enacted into law, at what period of time would the covering-in act affect such unexpended balance of July 1?

The CHAIRMAN. The item in the bill is merely a reappropriation of an unexpended balance, and it has been repeatedly held that the House, even over the objection of a point of order, could appropriate an unexpended balance as an appropriation. The Chair overrules the point of order.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the words "to continue available until the close of the fiscal year 1913," in lines 14 and 15, and the words "four hundred," in line 13, and insert in place of "four hundred" the words "two hundred and fifty."

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

The Clerk read as follows:

On page 2, line 13, strike out the words "four hundred" and insert "two hundred and fifty."

And in lines 14 and 15, strike out the words "to continue available until the close of the fiscal year 1913."

Mr. FITZGERALD. I wish the House to understand exactly what is proposed to be done at this point. This so-called Tariff Board appeared before the Committee on Appropriations in defense of its estimates, and in the hearings it was disclosed that the board believed it could expend $250,000 during the next fiscal year. At some place undisclosed and which the chairman of this so-called board could not exactly fix, the suggestion originated that the appropriation should be made available for two fiscal years, and that $150,000 additional be appropriated for the fiscal year 1913. It appeared from the hearings that the commission is expending now at the rate of $150,000 a year, and hopes to be able to expend $250,000 next year, if it obtains the money. To me it seems to be absolutely indefensible for the House to attempt to forestall action in the next House regarding any of the branches of the public service, so as to provide now the funds necessary, rather than wait until the proper time to provide them. Congress might just as well appropriate all the money needed for the fiscal year 1913 at this time and relieve the next House from the necessity and trouble of providing the funds to conduct the Government.

It will be interesting, however, Mr. Chairman, to ascertain just what this so-called tariff board is doing. The act under which the appropriation is made is to enable the President to secure information to assist him in the discharge of his duties. It would naturally be assumed that in the selection of a tariff board men would be selected who would be able to furnish the President with information to assist him in the discharge of his duties under the so-called maximum and minimum provisions of the Payne tariff act. One of the very first things done by this commission, however, was to employ an expert at the rate of $500 a month for the purpose of making for the commission a descriptive study of the iron and steel industry in general as related to the tariff, and from the technical point of view of the iron and steel man to analyze and criticise the items of the tariff and their classification, showing how far, if at all, the present classification is out of date, considered from the point of view of modern industry, and the relation of one item to another in the tariff.

So that after having appropriated $250,000 to enable the President to employ persons to assist him in obtaining information regarding items in the tariff bill, the gentlemen appointed by the President for this purpose find it necessary to employ other gentlemen to make a careful study of the meaning of the various provisions of the tariff bill for their benefit, so that they may be instructed as to the proper manner in which to take up the duty of obtaining information for the President.

And if this were to be carried to its logical conclusion, and if this expert, being familiar with the iron and steel business from the standpoint of modern industry, would believe it necessary to have somebody instruct him as to the meaning and the reason for the classification and arrangement of the items in the steel schedule under the tariff from the standpoint of tariff makers, it would be perfectly proper to give him an

assistant to instruct him, so that he might instruct the commission, so that the commission might give the President information and enable him to make suitable recommendation to Congress on the tariff.

Mr. SIMS. So that we might ignore them.

Mr. FITZGERALD. Now, the commission, without having done any work at all which has been of any benefit to anyone in connection with the revision of the tariff, has in its employ 66 men, with compensation aggregating $12,000 a month.

Most of us would imagine that with such an organization and such a force at the end of seven or eight months it would have been possible for this board or body to submit some intelligent report to the Committee on Ways and Means when it had under consideration the so-called reciprocity agreement. My information is that the committee desired any information that was in the possession of this board, but it had none which it could furnish to the committee for use in its work in connection with that bill.

This appropriation might more properly be designated "an appropriation to enable the administration to obtain, if possible, information which would aid it in the coming national campaign."

Apparently the Executive is not at all informed upon the question of the tariff. The board which he selects is unable to make an intelligent investigation until some one writes out a descriptive analysis of what the items in the tariff law mean.

After seven or eight months the commission, although it took up the investigation of the print-paper and wood-pulp tariffs, which had been exhaustively and thoroughly investigated by the committee presided over by the gentleman from Illinois [Mr. MANN], was unable to furnish any information whatever to the Committee on Ways and Means.

I believe, Mr. Chairman, that the administration should be satisfied with wasting half a million dollars in this way in two years without attempting to fasten this so-called body on the people for an additional year to run beyond the presidential campaign. The compensations fixed for the various employees of this commission are far in excess of the compensation fixed for any similar employment in any other department of the Government. The amendment which I propose simply tests the sincerity of the gentlemen who are advocating this item and will give to the commission all the money requested for the next fiscal year, and which will avoid the indefensible, unusual, and unheard-of practice of attempting to circumvent the result of the last election by taking from the coming Congress the power to determine whether any money shall be appropriated for a particular service.

Mr. GARRETT. Will the gentleman state whether there is any precedent for such a course?

Mr. FITZGERALD. I have been unable to find any similar situation. Some gentlemen justify it on the ground that as this is the policy of the administration they have a right now to provide the funds to enable the policy to be carried out regardless of whether it should be determined in the next Congress to have it carried out. I submit that it can hardly be defended on that ground; otherwise every appropriation carried in all the appropriation acts should be for the service not only during the next year, but during the following year.

There is no excuse and no explanation except perhaps one, and that is that there is such gross ignorance on the part of the administration about matters relating to the tariff that even though the country will not agree with the administration when the next election is held, it may be of some value to complete the education of some gentlemen which has already been initiated by the Congress.

Somebody else may suggest some other explanation, but when the President is given $250,000 to employ persons to assist him to obtain information to enable him to perform his duties, and he selects gentlemen for that purpose, and they employ at least two men at a compensation of $500 a month for the purpose of informing them as to the meaning of the tariff law about which they are to furnish information to the President, it seems quite apparent to me that the so-called tariff-board system will not work out as some gentlemen had hoped.

Mr. Chairman, so far as I am concerned, I not only believe that the board is illegal as at present constituted, because it violates the antiboard council provision enacted at the instance of the gentleman from Minnesota, but, as has been demonstrated, it is wholly worthless. I see the gentleman from Connecticut is honoring me with his attention. Although this tariff board has been at work some months on the wood-pulp and print-paper schedule, is it not a fact that the Committee on Ways and Means was unable to obtain any information from it of any value?

Mr. HILL. Does the gentleman desire my views on the subject?

Mr. FITZGERALD. I do not desire the gentleman's views now. The gentleman can take his own time to express his views.

Mr. MICHAEL E. DRISCOLL rose.

Mr. FITZGERALD. I will yield to the gentleman from New York for a question.

Mr. MICHAEL E. DRISCOLL. Does the gentleman think that $400,000 is too much for two years?

Mr. FITZGERALD. I do not know. The gentleman who appeared before the committee stated that they were now expending at the rate of about $150,000 a year. They believe that they could use $250,000 the next year, and that probably they would require $150,000 for the following year.

Mr. MICHAEL E. DRISCOLL. When the tariff commission bill was up for consideration it was stated that $250,000 would not be nearly enough to pay the expenses of the board, and it seems to me that the committee is economical in making it $400,000 for two years, for this commission is doing the same work.

Mr. FITZGERALD. Mr. Emery testified before the committee "we are convinced that $250,000 is all we ought to expend during the coming fiscal year."

Mr. TAWNEY. Mr. Chairman, I desire to answer one statement made by the gentleman from New York [Mr. FITZGERALD], and that is the charge that this board is illegal, that it has been created in violation of section 9 of the sundry civil act approved March 4, 1909. That act prohibits the expenditure of money on account of any commission, board, or other similar body not authorized by law; but this is an appropriation to enable the President of the United States to make certain investigations, which investigations are authorized by law, and to employ certain persons for the purpose of aiding him in the making of these investigations. He is at liberty to call the people employed by him whatever he may see fit to call them. He may constitute them in any kind of an organization he may see fit or deem advisable. The creation or existence of this board under the general authority of the tariff act is in no sense a violation of that provision, and the gentleman from New York knows it, or he would have made a point of order against the paragraph on that ground.

Mr. HILL. Mr. Chairman, I move to strike out the last word. I would like to say to the gentleman from New York [Mr. FITZGERALD] that I have not the slightest hesitation in expressing my views concerning this matter. As I look at it, this is the situation: The administration and one branch of the legislative part of the Government in the next two years will be politically antagonizing the other branch of the legislative part of this Government. I hold this opinion. I believe that it is courtesy for the Democratic House of Representatives to give to the officials of the Republican administration such facilities as are necessary for them to carry out their views in accordance with previous legislation; and at the same time, I believe it is due to the Democratic House of Representatives that they should have a free hand in carrying out their views as to certain matters concerning which legislation must be had; and I have suggested once or twice before on this floor that I thought the Democratic Ways and Means Committee should come before Congress and ask that provision be made for such necessary expenses. I am opposed absolutely, from start to finish, to the tariff propositions which I think the gentleman advocates, and will advocate in the next two years, and yet I am ready to vote to give them such facilities as will be necessary to carry out their ideas, believing that the whole country will choose between the respective policies and decide for legislation in the future, and for many years in the future, after this experiment has been tried, in favor of the views that I hold.

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

Mr. HILL. Yes.

Mr. SHERLEY. What would the gentleman think of his Democratic colleagues if they acted upon the assumption that he would not vote as he has just stated he would?

Mr. HILL. I do not know. I do not know that I quite understand the gentleman's question.

Mr. SHERLEY. The gentleman says that he, as a Republican, would always be willing to help to provide the Democrats with the facilities to carry out their theory.

Mr. HILL. I think your party is entitled to that.

Mr. SHERLEY. What would the gentleman think of us if, because we did not believe that the gentleman would do what he said he would do, we should undertake by legislation to handle the matter ourselves?

Mr. HILL. Oh, I do not look at it in that way.

Mr. SHERLEY. But the Republican Party is undertaking to do things on the assumption that we will not do them.

Mr. HILL. I think the administration, in maintaining its political views, has just as much right to consideration as the Democratic Party has in antagonizing them.

Mr. SHERLEY. Undoubtedly; but here is the proposition: This Republican majority in this House is doing an unprecedented thing in making an appropriation for two years, on the theory that the next House being Democratic would not do something.

Mr. HILL. I do not look at it in that way at all.

Mr. TAWNEY. And I will say that we are also likely to do another unprecedented thing——

Mr. SHERLEY. Oh, I would not attempt to limit his party's ability in that regard.

Mr. TAWNEY. And that is that in the general deficiency appropriation bill there will be carried an item appropriating the amount which the chairman of the Democratic Committee on Ways and Means of the next House has asked for, for the purpose of enabling that committee to conduct its investigations.

Mr. SHERLEY. That is not unprecedented in any sense.

Mr. HILL. I am in favor of both propositions.

Mr. TAWNEY. So am I.

Mr. SMITH of Iowa. Mr. Chairman, if the gentleman from Kentucky [Mr. SHERLEY] will allow me to make one suggestion before he proceeds to address the committee, as I suppose he has the privilege of closing debate, I simply want to suggest, Mr. Chairman, that it is worth while to contrast conduct at times. A year ago when this appropriation bill was before this House that side of the Chamber voted practically solidly not to allow the President to make these investigations.

Mr. FITZGERALD. Has not the result justified our action in what has been done in that regard?

Mr. SMITH of Iowa. But the gentleman from Kentucky resents the aspersion that that side of the House would vote against it next year, whereas they are on record only a year ago as practically solidly voting against this appropriation. Now, what is the Republican attitude? The Republican attitude is that we want this money in the hands of these men authorized by the Payne law. We concede, however, that it is a partisan body, but we want the people to have full information, and so we put in the deficiency bill this year an appropriation to enable the Democratic Ways and Means Committee of the next House to obtain their side of this question. In other words, our attitude has been the same from the beginning, of appropriating money for a tariff board to obtain information, which we believe will be fair and impartial and which you might think will be partisan, and then we vote money for your agency to obtain information from your standpoint. But when the vote came in the House a year ago you said we should not have the money to make the investigation through the President of the United States and you did vote against it. A few days ago, notwithstanding the unanimous report from the Committee on Ways and Means in favor of a tariff board, the gentleman from New York [Mr. FITZGERALD], the prospective chairman of the Committee on Appropriations of the next House, headed a fight and led nearly all the Members upon that side of the House to follow him against the leader of the Democratic side of the House, in opposing any tariff board at all.

With this vote of a year ago against the appropriation, with this vote the other day against the existence of a tariff board, we hope we are not characterized as having unkindly feelings to the gentleman when we assume that if he gets a chance no money will be appropriated for this subject when they are in the majority.

Mr. FITZGERALD. But——

Mr. SMITH of Iowa. In a moment—we are willing to give the money, and we have put in the deficiency bill money to make the investigation from their standpoint, but as long as you have captured only one of the two Houses of Congress——

Mr. FITZGERALD. We did not have a chance at the other last year.

Mr. SMITH of Iowa. All right; we will give you a chance and all you want before we get through.

Mr. FITZGERALD. We will carry the whole works before we are through.

Mr. SMITH of Iowa. When you carry the whole works you will be in full possession of the Government, and not until then.

Mr. FITZGERALD. I want to ask the gentleman a question. The gentleman is going to provide money for the Democratic Committee on Ways and Means?

Mr. SMITH of Iowa. With pleasure.

Mr. FITZGERALD. Thirteen or fourteen thousand dollars?

Mr. SMITH of Iowa. All they asked.

Mr. FITZGERALD. That is what was asked?

Mr. SMITH of Iowa. Yes.

Mr. FITZGERALD. If the administration takes this appropriation, together with that made heretofore, $650,000, does not the gentleman think that is really an indication of the difference of intelligence on the tariff question between the two sides of the House? [Laughter and applause on the Democratic side.]

Mr. SMITH of Iowa. I will say, in my judgment, the information obtained by the gentleman's committee will come high at the price proposed. [Laughter on the Republican side.]

Mr. FITZGERALD. Not nearly so high in proportion as we pay to educate that side.

Mr. SMITH of Iowa. Now, Mr. Chairman, I want to ask the gentleman one question, because he has asked me one.

Mr. FITZGERALD. Well, I will answer.

Mr. SMITH of Iowa. I want to ask the gentleman, in view of his denunciation of this commission, in view of his vote a year ago, in view of his position on the Tariff Board at the time the bill was up at this session of Congress, if he does think we have good reason to believe that as chairman of the Committee on Appropriations he will not advocate appropriations next year for a tariff board? I would be glad to have that answered.

Mr. FITZGERALD. Now, the gentleman, of course, is leaving Congress and can assume anything——

Mr. SMITH of Iowa. I am not assuming anything——

Mr. FITZGERALD (continuing). Or some things I am not in a position to do, but let me say this: If in the next session the President of the United States should submit an estimate for an appropriation to enable him to obtain information to perform any part of his public duties——

Mr. SMITH of Iowa. And you pass upon what are his public duties——

Mr. FITZGERALD (continuing). And suggests as to the advisability of an appropriation, I should not feel justified in withholding from him moneys to enable him to perform those duties.

Mr. SMITH of Iowa. Never since the foundation of the Republic, so far as I know, has the President ever submitted a formal estimate to Congress, and, therefore, the gentleman says he would do it if something that is never done is done.

Mr. SHERLEY. Mr. Chairman——

Mr. TAWNEY. Mr. Chairman, if the gentleman from Kentucky will permit me, I move that all debate on this paragraph be closed in 10 minutes.

Mr. UNDERWOOD. Mr. Chairman, I wish to say I desire to make some remarks on this question and want at least 10 minutes.

Mr. TAWNEY. Then make it 15 minutes, and the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Alabama [Mr. UNDERWOOD] can have 10, and we can have five on this side.

The CHAIRMAN. The gentleman from Minnesota [Mr. TAWNEY] moves that debate close in 15 minutes, of which time the gentleman from Kentucky [Mr. SHERLEY] shall have five and the gentleman from Alabama [Mr. UNDERWOOD] 10. Is there objection?

Mr. TAWNEY. I said five minutes to the gentleman from Kentucky [Mr. SHERLEY] and five minutes to the gentleman from Alabama [Mr. UNDERWOOD] and five minutes on this side.

Mr. UNDERWOOD. Mr. Chairman, I ask to have at least 10 minutes.

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 without amendment bill of the following title:

H. R. 29708. An act to constitute Birmingham, in the State of Alabama, a subport of entry.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 31856) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1912, and for other purposes.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 7031) to codify, revise, and amend the laws relating to the judiciary, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEYBURN, Mr. SUTHERLAND, and Mr. CLARKE of Arkansas as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill

(S. 5432) to authorize the city of Seattle, Wash., to purchase certain lands for the protection of the source of its water supply.

The message also announced that the Senate had passed without amendment the bill (H. R. 32341) to authorize the St. Paul Railway Promotion Co., a corporation, to construct a bridge across the Mississippi River near Nininger, Minn.

The message also announced that the Senate had passed without amendment the following resolution (H. Con. Res. 62):

Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and hereby are, directed to erase their signatures to the bill (H. R. 25081) for the relief of Helen S. Hogan, and that the said bill be reenrolled with the words "act of February 26" changed to "act of February 25."

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. TAWNEY. I move, then, that the debate close at 2 o'clock, with the understanding that the gentleman from Alabama have 10 minutes and the gentleman from Kentucky have 5, and the balance of the time be used on this side.

Mr. HARRISON. Reserving the right to object, I would ask the chairman of the committee if he will not amend his request for unanimous consent and allow me five minutes also?

Mr. TAWNEY. No.

Mr. HARRISON. I object, then.

Mr. TAWNEY. Then I move that all debate be closed on this paragraph at 2 o'clock.

Mr. JAMES. The gentleman will save time to allow the gentleman from New York [Mr. HARRISON] five minutes.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this paragraph close at 2 o'clock. The question is on agreeing to the motion.

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

Mr. HARRISON. Division, Mr. Chairman.

The committee divided; and there were—ayes 75, noes 57.

So the motion was agreed to.

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY] is recognized. The time for debate is limited to 2 o'clock.

Mr. SHERLEY. It is sometimes well to review recent history, and the most recent history of the Republican Party in this Congress is the repudiation of this board by the passage of a law to create another board to supersede it and by remarks of the leaders on that side in most severe arraignment and condemnation of the present existing board.

During the consideration of the reciprocity treaty Republican after Republican declared that this board had been absolutely useless; that it had failed to reply to requests for information; and that no information had been obtained from it; and that so far as they could judge its work was without value to the country.

I am willing to discount somewhat what they said. I know they were under great stress in finding such a division in their party; I realize that they were having trouble to keep their allegiance to their President and what they believe to be their allegiance to their party policies.

I have no special criticism of this board. What I resent, and I believe every sincere man ought to resent, is the proposition that there shall be contained in this bill an appropriation covering two years, and containing more than $150,000 more than the commission itself says it can use during the coming year. Why, this House, so far as it has taken any position, has by the passage of the recent act creating a new commission, assumed that the present commission will not be in existence even a year from now, let alone two years from now.

And yet they come in now with an appropriation that undertakes to make available more than $150,000 more than could be properly used during the current year. I agree with the position of the gentleman from Connecticut [Mr. HILL]. I would hate service in this House upon any other conditions. I believe the present minority, as a majority, would deal as I believe the present majority would deal with the minority, in good faith. I do not believe that this House has a right to assume, and speaking for myself, as only I have a right to speak, I say the assumption is entirely unwarranted that the next Congress will refuse to give to the President of the United States what facilities he may need to carry out his constitutional duties and obligations. I say that by the creation, as far as this body can create, of a new board, you yourselves have signified that you do not believe the present commission will be in existence even a year from now, and yet you ask us to vote $400,000 for two years, and, taking the statements of Republican leaders on that side as to the value of this board, it is $400,000 wasted money. I do not believe that. I believe the board is better than it is credited with being by Republicans. But if we are to accept the statements made on the floor, if we are to use the rule of the gentleman from Iowa, then we shall stand committed to the proposition that the present commission is worthless, and that any appropriation of money for it is wasted. I would gladly vote for $250,000 for the commission for the ensuing year, or for all that it can properly use or would use, but I object to this attempt indirectly to tie the hands of the next House. I say it is an insult to the patriotism of that body and is not warranted by any facts in the previous history of the Government; and when partisan politics runs to that extreme, it is, indeed, a sad situation for the country at large. [Applause.]

Mr. UNDERWOOD. Mr. Chairman, a year ago when this proposition was before the House, or a proposition similar to this, to make a blanket appropriation for a tariff board, to be appointed by the President without authority of law, I voted against it. Some months ago, when the Ways and Means Committee brought before this House a bill to establish a tariff board by law, I voted for it.

Now I desire to say to the House that my reason for voting against the one proposition and voting in favor of the other was that I was opposed to this proposition a year ago—and I am equally opposed to it to-day—for the fundamental reason, based on foundation principles, that the Constitution of the United States vests the power to levy taxes in the Congress of the United States, and that no tariff can be constitutional that is not levied for the purpose of raising taxes, and therefore in my judgment this House should not only control the raising of revenue, but should absolutely control the instrumentality by which revenue bills are written. And I do not think that it is proper as a governmental question for us to appropriate money to enable the President of the United States to employ persons to advise the Congress of the United States how to enact tariff legislation. That is what this proposition means.

Now, I am free to say that I believe there is no committee of this House that needs information in reference to the subject matter on which it works or upon which it desires information more than the Committee on Ways and Means. I do not entirely agree as to the wisdom of the bill that I voted for here a few months ago. I thought it was too expensive a proposition. But I voted for it because it proposed to select certain experts to obtain information that would be under the control of this House. I would like very much now to see a permanent board of experts under the control of this House, who would hold their offices year in and year out, and gather information for the benefit of the Committee on Ways and Means. But I am absolutely opposed to the proposition now before the House. It gives to the President the power to assemble the facts and communicate to Congress only such of those facts as he desires to communicate. You know as well as I that if you have got a grand piece of legislation here that depends on the accuracy and integrity of the facts presented to Congress and place the power to control the promulgation of those facts in the hands of the Executive, then, to a large extent, the Executive will have the power to control the legislation, and therefore I do not think it is an act of discourtesy to the President to vote down this appropriation. I do not think it is a question of not carrying out an Executive function, because there is not one line of law in the statute books of the United States that authorizes this appropriation. The provision that was passed on the tariff bill that was enacted 18 months ago provided for the employment of certain persons for the purpose of advising the President as to whether——

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

Mr. UNDERWOOD. I ask unanimous consent, Mr. Chairman, to continue for five minutes.

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

Mr. HILL. Then you would not concur with your colleague from Kentucky in the view that it would be improper or discourteous to vote down a further appropriation a year from now?

Mr. UNDERWOOD. No; I do not agree with him on that at all.

Mr. HILL. I understood you to say that awhile ago.

Mr. UNDERWOOD. I think this proposition is fundamentally wrong.

Mr. PICKETT. The gentleman from Kentucky did not state that he regarded this as coming within the official duties of the President, but he just made an application.

Mr. UNDERWOOD. I did not hear what the gentleman said.

Mr. HILL. I am heartily in favor of giving the advocates of both views on the pending question all the money they need within the next two years to carry out their ideas and then let the country decide.

Mr. UNDERWOOD. Well, I say that this proposition is not a question for the country to decide. I say that the President of the United States has no authority to place his views before this Congress in the way of shaping tariff legislation, except in so far as he desires to advise us in an annual message to Congress, whether tariff legislation is needed or not.

But I want to say this further: The gentleman has said that the Committee on Appropriations have offered this side of the House such appropriations as were wanted for tariff investigations. Well, that is not literally so. Assuming that there is going to be no extra session of Congress, a committee on this side of the House is charged with the responsibility of preparing tariff legislation. Now, we do not ask you to take away the clerk of the committee who holds until December, or the statistician of the committee who holds until December, or the stenographic clerk of the committee who holds until December.

All we have asked on the deficiency bill is that between now and December you provide us a sufficient appropriation to let us have a clerk to the committee, a statistician to the committee, and a stenographic clerk to the committee to help us in our work. That has nothing to do with the proposition that is before this House. Of course, if we have an extra session of Congress, we can organize our committee, we can vote it what money we want. We are not asking you to give us any money for independent investigation. Under the law the Republican side of this House now controls the great committees of the House. The Democratic Party, which is charged with responsibility for the legislation of this House after the 4th of March, has directed this side of the House to go to work and prepare bills that will save the time of this House after December. Instead of taking the time to write those bills after we come here then, and keeping you in a late session next year, they have directed us to prepare these bills during the vacation, and we merely ask the Appropriations Committee to provide us with the clerks that you yourselves have to-day. And I want to say to you that if you have any criticism on that proposition on that side of the House, strike it out and we will pay the expense out of our own pocket.

Mr. HILL. I do not believe there is a man on this side who criticizes it. The only criticism is to say, Why do you not ask for all you want?

Mr. UNDERWOOD. I think that is all we do want, to be candid with the gentleman.

Mr. HILL. Then there is no criticism on that side, if you have all you want.

Mr. UNDERWOOD. We went into a very thorough investigation of this tariff question 18 months ago. The witnesses that appeared before the Committee on Ways and Means then were impartially examined on both sides. If we should go into any further hearings, I do not know that we would develop any further light on the question now, because the testimony before us is only 18 months old. On that testimony, when the Payne tariff bill was written, a revenue tariff bill could have been written as well as the Payne tariff bill. We simply propose to take that testimony and the statistics and evidence that were before you gentlemen when you wrote the Payne tariff bill, and write a tariff bill in accordance with our principles.

Now, I do not want to ask of this Congress the expenditure of a dollar of public money unnecessarily, and I do not think we are doing so when we ask merely that we may organize the personnel of our committee. When we ask to organize it to-day instead of next December, I do not think that has anything in the world to do with this appropriation. I am opposed to this appropriation now. I was last year, and I would be next year, because I feel that it is fundamentally wrong.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TAWNEY. Mr. Chairman, the remark of the prospective leader of the majority in the Sixty-second Congress are a sufficient justification for the recommendation of the Committee on Appropriations in appropriating $400,000, or the amount necessary to enable the President of the United States to continue the investigation into tariff matters during the remainder of his administration. I do not intend to occupy any time in discussing the necessity for this, because the gentleman from Alabama [Mr. UNDERWOOD] has conclusively shown that necessity by the statement that under no circumstances would he now, or in the next Congress, favor an appropriation to enable the President to make this investigation. I therefore call for a vote.

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

The question being taken, on a division (demanded by Mr. FITZGERALD) there were—ayes 51, noes 81.

Accordingly the amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the first paragraph on page 2.

The question was taken, and the amendment was lost.

The Clerk read as follows:

To enable the President to continue, by the employment of accountants and experts from official and private life, to more effectively inquire into the methods of transacting the public business of the Government in the several executive departments and other Government establishments, with the view of inaugurating new or changing old methods of transacting such public business so as to attain greater efficiency and economy therein, and to ascertain and recommend to Congress what changes in law may be necessary to carry into effect such results of his inquiry as can not be carried into effect by Executive action alone, and for each and every purpose necessary hereunder, including the employment of personal services at Washington, D. C., or elsewhere, $75,000. And a report hereunder shall be submitted to Congress at the first regular session of the Sixty-second Congress and not later than December 31, 1911, which said report shall set forth the progress made, the results attained, and such recommendations therein as may be deemed advisable.

Mr. MACON. Mr. Chairman, I make a point of order on the paragraph just read on the ground that it is unauthorized and a change of existing law.

Mr. FITZGERALD. I ask the gentleman from Arkansas to reserve his point of order.

Mr. MACON. I will reserve the point of order if the gentleman desires to debate it, but I was trying to save time by making instead of reserving it.

Mr. FITZGERALD. Mr. Chairman, we appropriated $100,000 for the present fiscal year, and I was of the opinion that that should complete the work and that no further appropriation would be justified. On the explanation given before the committee I believe that unless this money be appropriated that the money heretofore expended will be wasted. I believe that the result of the investigation now being made will undoubtedly be of great benefit to the Government. This is the situation and what is being done. There is an entire lack of standardization in the requisitions, supplies, and services for the Government service. An attempt is being made, first, to enable every department and bureau of the Government to be in a position to state what its available balances are; secondly, to enable some one to ascertain from mere inspection of vouchers whether articles purchased have been purchased and paid for at a reasonable price; thirdly, to have some uniform system of purchase and some uniform method by which all of the various branches of the Government will pay the same price for the same articles under similar conditions.

I was convinced, although I approached the subject somewhat prejudiced against this appropriation, that the continuation of the investigation really would result in a vast improvement in the departmental service. I will suggest to the gentleman from Arkansas that, in my opinion, it will be of great advantage to us to have the work completed by the time the next regular session of Congress convenes.

Mr. COX of Indiana. Does the gentleman feel that it will pay for itself?

Mr. FITZGERALD. I do. At the outset I was under the impression that it was ill-advised, but they have got to the point where, unless this appropriation is made, the expenditure of the $100,000 already made will have been wasted. The groundwork established is such that valuable information and some economies will be effected which will be impossible unless this appropriation is made.

Mr. JOHNSON of South Carolina. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. JOHNSON of South Carolina. How much money has hitherto been spent?

Mr. FITZGERALD. $100,000.

Mr. JOHNSON of South Carolina. Is there an additional board provided for in the legislative bill making the same kind of investigation?

Mr. FITZGERALD. The appropriation for investigating and effecting economies in the Treasury Department did result in a substantial reduction of appropriations to the service this year, and it was the work undertaken in that department last year that finally induced this side of the House to permit the appropriation to be made for this year.

Mr. COX of Indiana. Does the gentleman believe that this appropriation will complete the work?

Mr. FITZGERALD. I am not sure that it will. It is difficult to say; but I believe from information given to the committee that the money will be well expended and furnish the next Congress information that will be of great value if an attempt is made to thoroughly investigate the public service of the various departments.

Mr. JOHNSON of South Carolina. As the gentleman is convinced of the wisdom of providing for this board, what does he

think about having a different board investigating the same question in one department?

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, we would like to know what is going on over on the other side; we can not hear a word.

Mr. JOHNSON of South Carolina. It would not influence the gentleman if he did.

The CHAIRMAN. The committee will be in order.

Mr. KENDALL. The committee is in order, but the gentleman from South Carolina does not speak above a whisper.

Mr. JOHNSON of South Carolina. Mr. Chairman, what I am saying is there is a provision in this bill making an appropriation for some business men to show the executive department how to do business. I asked the gentleman from New York, who seems to be convinced that this is a wise provision, if this board is provided to investigate all the departments, what he thought about having a separate board to examine into the Treasury Department alone. We have in the legislative bill an appropriation of $75,000 to pay some business men to teach the Treasury Department how to do business. Now, I think this one board ought to examine all of the departments, because if it is valuable, as the gentleman from New York seems to think it is, the work ought to be uniform.

Mr. FITZGERALD. But the persons employed under this authorization are not confining themselves to any particular department, but are trying to standardize methods in all of the departments.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I ask unanimous consent that it be extended for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MICHAEL E. DRISCOLL. I want to inquire if this board will make them buy at the same price. I have had one or two instances where one department bought the same kind of goods much cheaper than another department.

Mr. TAWNEY. I will say to the gentleman from New York that that is cured by a provision in the sundry civil appropriation bill for 1909, which authorizes the creation of this purchasing board. Purchases are no longer made under the old system.

Mr. MICHAEL E. DRISCOLL. But this is since 1909. It was only last year, and one department bought very much cheaper than another.

Mr. TAWNEY. Miscellaneous supplies?

Mr. MICHAEL E. DRISCOLL. Typewriters.

Mr. COOPER of Wisconsin. Of the same kind?

Mr. MICHAEL E. DRISCOLL. Yes, sir.

Mr. TAWNEY. Mr. Chairman, if the gentleman from Arkansas is going to make the point of order against this provision I wish he would make it. In my judgment it is not subject to a point of order.

Mr. MACON. Mr. Chairman, I am entitled to a word or two in reply to the gentleman from New York. I have never understood it was wise to send a good dollar out in search of a bad one, and I do not believe it is wise in this instance to send 75,000 good dollars out in search of the 100,000 bad dollars, so far as their further usefulness to the Government is concerned, which we appropriated for this purpose one year ago. Those dollars are gone from the Government forever, so far as that goes, and, therefore, they are worthless things in connection with the Government; but these 75,000 dollars yet belong to the Government, and I can not see any reason why we should send 75,000 good dollars out in search of 100,000 lost ones.

Unless my information is bad, Mr. Chairman, the board that has been conducting this examination was comprised of the heads of bureaus in this city, and the result of their work has never been reported to Congress officially, though the paragraph carried in the bill a year ago provided that the appropriation was made for the purpose of enabling the President to make a recommendation to Congress in regard to this matter. No official recommendation has ever been made, notwithstanding the expenditure of the $100,000.

As I said a moment ago, I am advised that the heads of the bureaus conducted this investigation, and as a result of that it was urged upon the floor of this House that each and every member of that board should have his salary increased in a certain appropriation bill that was pending before the House. Therefore the House will understand that in addition to expending the money for a commission or a board to make these investigations we are asked to increase the salaries of those officials to whom we are paying salaries to discharge their duties—to increase their salary as a reward for that investigation. I can not believe that it is right to the American people to pursue a policy of that kind. Feeling that way about it, I thought that a point of order ought to be made against this paragraph so as to stop this worthless expenditure, something out of which nothing has as yet come, in order that we may get rid of this one instrumentality of the Government which, in my judgment, has afforded no relief to the Government anywhere or in any way.

Mr. Chairman, I insist that there is no law authorizing this appropriation; it is simply a paragraph carried in the last appropriation bill which, as the Chair is well aware, does not warrant a continuance of an appropriation of this kind.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman insist upon the point of order?

Mr. MACON. I do.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

For salaries and expenses, including rental and furnishing, after the passage of this act, of offices at Washington, D. C., and necessary traveling expenses, and for the one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and other purposes, signed January 11, 1909, $75,000, together with the balance unexpended July 1, 1911, of the appropriation made for said joint commission for the fiscal year 1911: *Provided*, That the salaries of the members of said commission on the part of the United States shall be fixed by the President, and the amount appropriated for the payment of salaries and other expenses hereunder shall be disbursed under the direction of the Secretary of State; that said commission or any member thereof shall have power to administer oaths and to take evidence on oath whenever deemed necessary in any proceeding or inquiry or matter within its jurisdiction under said treaty, and said commission shall be authorized to compel the attendance of witnesses in any proceedings before it or the production of books and papers when necessary by application to the circuit court of the United States for the circuit within which such session is held, which court is hereby empowered and directed to make all orders and issue all processes necessary and appropriate for that purpose.

Mr. MACON. Mr. Chairman, I make a point of order against that paragraph, or I will reserve it.

Mr. TAWNEY. Mr. Chairman, I will say to the gentleman that that is not subject to the point of order.

Mr. MACON. The language in here makes it subject to the point of order.

Mr. TAWNEY. This is authorized by a treaty that was approved and promulgated on the 13th of May, 1910, a treaty creating an international joint commission for the determination of questions arising between the Dominion of Canada and the United States respecting the use of boundary waters. That treaty especially obligates the Government of the United States to pay its share of the joint expenses of this commission. It also obligates itself to secure the enactment of such legislation as is necessary to enable the commission in the investigation of questions under the jurisdiction of the commission, to administer oaths, and to apply to the circuit courts of the United States for the purpose of obtaining process in order to compel the attendance of witnesses. The jurisdiction of the commission is final relative to all questions that arise between Canada and the United States growing out of the use of boundary waters by citizens of the two countries, both in respect to sanitation and domestic use, reclamatory purposes, and also for water-power purposes. The treaty obligates, as I say, the Government of the United States to do the things which are authorized in this act.

Mr. DALZELL. I desire to ask the gentleman if this is the first time this has been appropriated for.

Mr. TAWNEY. No; the last sundry civil bill carried $75,000 for the same purpose.

Mr. MICHAEL E. DRISCOLL. Is any of this to pay counsel?

Mr. TAWNEY. No; not specifically. The commission may employ counsel or necessary employees.

Mr. STAFFORD. Will the gentleman differentiate wherein this appropriation should be carried in the sundry civil bill and not in the diplomatic and consular appropriation bill?

Mr. TAWNEY. Well, the diplomatic and consular appropriation bill carries appropriations for the diplomatic and consular service and for services outside of the jurisdiction of the United States or outside of the territory of the United States. We have a number of joint commissions. We have now a joint commission that was created under a treaty and appointed under a treaty, some two years ago, I think, to investigate the question of the diversion and use of the waters of the St. John River, which is a boundary line between Maine and Nova Scotia. We have also another commission that is engaged in—and the work will be, I think, completed in the next year—locating the boundary between Canada and the United States on the Lakes, called the boundary commission.

Mr. MICHAEL E. DRISCOLL. Has this ever been before The Hague tribunal—this question of the boundary?

Mr. TAWNEY. No. I will say there are a great many important questions now pending in the State Department over all our boundary waters between Canada and the United States—the Milk River proposition, which Members may be acquainted with, and the Rainy River proposition.

Mr. MACON. Mr. Chairman, I will say the diplomatic and consular appropriation bill, which we passed day before yesterday, carried an appropriation of $100,000 for ascertaining the boundary line between the United States and Canada.

Mr. TAWNEY. No; I beg the gentleman's pardon.

Mr. MACON. Now, why should not this take in water boundaries as well as land?

Mr. TAWNEY. No; that was an appropriation——

Mr. FOSTER of Vermont. The gentleman is mistaken about it.

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

Mr. MACON. Mr. Chairman, I ask that the gentleman may have further time if he wants it. I ask that he may have time to complete his statement.

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

Mr. FOSTER of Vermont. This is an entirely different project, I will say to the gentleman.

Mr. MACON. I did not say it was not different, but I said it was for the purpose of determining the boundary between the United States and Canada.

Mr. TAWNEY. A survey of the boundary has already been agreed upon between England and the United States, and there is a provision for Alaska——

Mr. FOSTER of Vermont. No; the gentleman is mistaken. That is another proposition. It is the boundary line between the United States and Canada. It consists of two parts—the western part, from Duluth west, and the other from the Great Lakes eastwardly to the St. John River. As I think I explained to the gentleman when we had under consideration the diplomatic and consular bill, that work will be completed in about a year; that is, we hope that the present appropriation of $95,000 will complete it. The item was carried in the diplomatic appropriation bill for this work. In addition, the bill carried an item providing for the marking of the dividing line between the United States and Alaska——

Mr. MACON. Seventy-five thousand dollars, I believe, was carried for that purpose.

Mr. FOSTER of Vermont. At least $75,000; but I think it was $100,000.

Mr. MACON. I thought it was $75,000.

Mr. FOSTER of Vermont. Those two things are entirely separate from the commission provided for in this item.

Mr. MACON. I understand that, but I was asking the question, why would that not include the waters?

Mr. FOSTER of Vermont. The gentleman was entirely within his right. I wanted to explain, so that there would be no misunderstanding.

Mr. TAWNEY. I will say to the gentleman from Arkansas that the jurisdiction of these two commissions is entirely different.

Mr. MACON. But that is the trouble. We are getting so many commissions that they duplicate the work.

Mr. TAWNEY. This commission is already authorized. It is in the nature of a judicial tribunal for the purpose of settling the questions involved or the legal rights of citizens of Canada or citizens of the United States in regard to the use of waters that bound the two countries. It has no relation whatever to the work of ascertaining the boundary, but it is a judicial investigation that this commission must make for the purpose of determining the rights of citizens of the two countries. That question is necessarily involved when you come to determine whether the citizens of Montana, for example, shall have a right to use all of the water of Milk River that flows from Canada into Montana and back into Canada.

Mr. MACON. Now, if the line between the two countries, the United States and Canada, is ascertained, would not that settle this matter?

Mr. TAWNEY. Oh, no; not at all. It does not involve the question of the boundary. It involves the question of the rights of citizens of the two countries growing out of the use of boundary waters. It does not involve the boundary question at all. This question is for the ascertainment, first, of the facts as to the effect of the use of water by the citizens of one country upon the rights of the citizens of the other country. And after ascertaining the facts, the commission judicially determines the law governing it, the rights of the respective parties in the two countries; and their determination is just as final under the treaty referred to in this paragraph as the determination of the highest judicial tribunal in either country. There are a great many important questions growing out of the use of water in connection with Niagara River; also the St. Lawrence River, and the St. John River—controversies between citizens of two countries. This does not relate at all to fixing the boundary or to the ascertainment of the boundary.

Mr. STAFFORD. Will the gentleman from Minnesota [Mr. TAWNEY] yield?

Mr. TAWNEY. I yield.

Mr. STAFFORD. Will the gentleman inform the committee upon whose recommendation this item was included in the sundry civil bill?

Mr. FOSTER of Vermont. I will answer that if the gentleman will permit.

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. MACON] has expired.

Mr. FOSTER of Vermont. I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MACON. I did not know that I had any time. I thought I was using the time of the gentleman from Minnesota [Mr. TAWNEY].

The CHAIRMAN. The gentleman from Vermont [Mr. FOSTER] is recognized for five minutes.

Mr. FOSTER of Vermont. I would like to say to the gentleman from Wisconsin [Mr. STAFFORD] that, as I explained the other day when the diplomatic and consular bill was up, this matter was not taken up by the Committee on Foreign Affairs at the last session and incorporated in the annual appropriation bill because the bill had been reported out of the committee before the matter came up. Thereupon the matter was taken up by the committee, and a separate bill was reported out, and placed on the calendar, involving this very proposition.

Mr. STAFFORD. I wish to correct a misstatement of the gentleman. The gentleman the other day stated, and he repeats it again, that this matter was not included in the diplomatic and consular appropriation bill, because it had not been reported.

Mr. FOSTER of Vermont. Because what had not been reported?

Mr. STAFFORD. Because it had not been reported from the Committee on Foreign Affairs. I wish to call his attention to the calendar of to-day——

Mr. FOSTER of Vermont. The gentleman misunderstands me. I said we did not include it in our appropriation bill last year, because the annual appropriation bill was reported out of the committee before this matter came to our attention. Thereupon, and I repeat what I said before, the Committee on Foreign Affairs reported out a separate bill to cover it. We failed to get that through at the last session of Congress. Some weeks ago I tried to get the bill up by unanimous consent and failed. The calendar was so congested that there seemed to be grave doubt as to whether we would be able to get a hearing on that bill at this session of Congress, and it was for that reason that the friends of the proposition, who feel that it is the absolute duty of the Government to secure this legislation before adjournment on the 4th of March next, suggested that the legislation be carried in this bill.

Mr. STAFFORD. My attention was called to the matter——

Mr. TAWNEY. I will state further that the State Department had sent to Congress a supplemental estimate when this bill was in process of preparation in committee, requesting that this item be carried in the bill.

Mr. STAFFORD. My attention was called to the matter some weeks ago, when the bill was on the Unanimous Consent Calendar, and I gave it some consideration at that time. I believe it is necessary, and I shall not object to the incorporation of this amendment in this bill.

Mr. MACON. Does the gentleman from Minnesota say that $75,000 will be sufficient to complete this work?

Mr. TAWNEY. I will say to the gentleman from Arkansas that it is difficult to determine when this work will be completed. The commission will be permanent in character, and it will have before it for consideration all questions arising out of the use of the boundary water by the people of Canada and of the United States. Of course the work of the commission will not cease with the expenditure of this particular appropriation. There are pending at the present time in the State Department a great many important questions growing out of the use of water, questions affecting the rights of citizens in both countries, and the settlement of those questions is what the commission was created for. As soon as the work of the commission is completed, then of course the life of the commission will cease.

Mr. MACON. I will say to the gentleman that I am not opposed to the prosecution of this particular work, but I think there should be some limitation placed on commissions of this kind. The gentleman knows that we are burdened with numerous commissions of this kind now, and if they are to be provided for in appropriation bills there is no telling to what extreme they will go.

Mr. FITZGERALD. The necessity for this commission arises out of the constant conflicts which occur between our citizens and the citizens of Canada, and the treaty was negotiated in order to provide a method of adjusting those differences. If hereafter an attempt is made to irrigate the lands on the northern border by the use of some stream coming down from Canada, new questions of controversy will probably arise, and my idea is that this is likely to establish a permanent court for the purpose of settling such disputes between the two countries.

Mr. MACON. I withdraw the point of order.

The CHAIRMAN. The gentleman from Arkansas withdraws the point of order.

Mr. MADDEN. Mr. Chairman, I reserve the point of order, in order to obtain some information on this subject. I want to know how many of these commissioners there are, how much compensation is paid to each commissioner, how long their term of service is to be, and what they have jurisdiction over.

Mr. TAWNEY. I will say to the gentleman from Illinois that there are three commissioners on the part of the United States and three on the part of Canada. They have not been appointed yet, because the treaty was not completed until last May. Their term of office is not fixed by the treaty, nor is their compensation fixed by the treaty. Under this provision the compensation to the United States commissioners will undoubtedly be the same as the compensation of the Canadian commissioners.

Mr. MADDEN. Then I would like to know how the Committee on Appropriations reached the conclusion that $75,000 was necessary.

Mr. TAWNEY. That was the estimate of the State Department two years ago, when we appropriated $75,000. It is again the estimate of the State Department as to the amount that will be required.

Mr. MADDEN. Has the gentleman from Minnesota any information in his possession, or any information that he cares to give to the House, showing the items that make up the $75,000?

Mr. TAWNEY. The committee has not the information in detail.

Mr. SMITH of Iowa. It is a new service, it should be remembered.

Mr. TAWNEY. Yes; it is a new service. The questions that this commission will have final jurisdiction over, as I said to the gentleman from Arkansas, are questions involving the rights of citizens of Canada and of the United States respecting the use of boundary waters, questions which include sanitation and the use of water for domestic purposes, and also for power purposes. Those are the three specific uses of boundary waters over which this commission is, by the treaty, given final and conclusive jurisdiction.

Mr. MADDEN. Mr. Chairman, inasmuch as there is nobody connected with the committee that reported the appropriation who knows anything at all about the reasons why the appropriation of $75,000 was made——

Mr. STAFFORD. Will the gentleman suspend a moment?

Mr. MADDEN. No; I have the floor.

Mr. TAWNEY. Let me say further in reply to the gentleman from Illinois that in the investigation and determination of these questions——

Mr. MADDEN. Let me state what I was going to say.

Mr. TAWNEY. I want to answer the gentleman's question.

Mr. MADDEN. I have not asked a question.

Mr. TAWNEY. In the determination of these questions, of course it will be necessary for the commission to employ engineers. There will have to be surveying for the purpose of determining various questions.

Mr. MICHAEL E. DRISCOLL. Has any part of the appropriation carried by the current law been expended?

Mr. TAWNEY. No.

Mr. MICHAEL E. DRISCOLL. So there will be $150,000.

Mr. TAWNEY. The commission has not been appointed.

Mr. MICHAEL E. DRISCOLL. Then why do you want to appropriate this $75,000?

Mr. MADDEN. I started out to say that inasmuch as no gentleman on the Appropriations Committee is able to give information, or if he has it is willing to divulge it, which will enable Members of the House to act intelligently upon the question of appropriating this $75,000, I make the point of order against the paragraph.

Mr. FITZGERALD. I ask the gentleman to withhold that for a moment.

Mr. MADDEN. No; I make the point of order.

Mr. FITZGERALD. The gentleman has made a statement. I wish he would withhold his point of order for a moment. Mr. Chairman, I should like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. FITZGERALD. Mr. Chairman, before proceeding to discuss the rule I wish to say this: The statement of the gentleman from Illinois [Mr. MADDEN] is wholly unfair to the members of the committee. There are certain new services to be initiated under authority of law for which nobody is able to give any definite information as to the amount required for the service. The gentleman from Illinois supported an item appropriating $250,000 in this bill for the creation of a tariff commission, about which there was less information than there is about this particular item.

The treaty defines the duties of this commission. It is impossible to fix the compensation of the commissioners at this time, because it is desired, as far as possible, to have the compensation adjusted to correspond with the compensation of the commissioners who will represent the Dominion of Canada. Until they organize it is impossible to ascertain the extent of the work that will devolve upon them or to determine when it will be necessary for them to meet or how many hearings it will be necessary for them to have, what witnesses must be called, or other proceedings had. With this situation confronting a committee of the House, nothing other than a mere guess can be made regarding the amount of money that will be required.

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

Mr. FITZGERALD. The gentleman from Illinois [Mr. MADDEN] supported the appropriation for the tariff commission for the present year, and the commission will not be able to expend over about $150,000 of the $250,000 for which the gentleman voted. There was absolutely no information about that item last year, not even an estimate, as there is for this. He can not criticize the committee for doing in this instance what suited his purpose when it was perhaps to the benefit of his own party. This is not political.

Mr. MADDEN. There is no politics in it with me.

Mr. MICHAEL E. DRISCOLL. We appropriated $75,000 last year and put it into the current law. As none of that has been expended, why do you appropriate $75,000 more in addition to the $75,000 carried over? That means a total of $150,000, whereas last year you estimated that $75,000 a year was all that was necessary.

Mr. FOSTER of Vermont. Not this committee. This committee did not do any estimating.

Mr. FITZGERALD. This committee had nothing to do with it until this year. It simply has followed the suggestion of the State Department. This is not a political service. It is not a body to do political work, to advance the interests of any political party. This is to establish a body to adjust the rights of the citizens of the two countries, and we are under obligation to furnish the means by which the treaty can be carried out. I submit that an appropriation to carry on work provided to be done under a treaty is work authorized by law, and is in order on an appropriation bill.

The CHAIRMAN. The Chair is prepared to rule. Does the gentleman from Illinois insist on his point of order?

Mr. MADDEN. I insist on the point of order.

The CHAIRMAN. The proviso is clearly legislation, and the Chair therefore sustains the point of order.

Mr. SMITH of Iowa. Mr. Chairman, I offer as an amendment the language, excluding the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

For salaries and expenses, including rental and furnishing, after the passage of this act, of offices at Washington, D. C., and necessary traveling expenses, and for the one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and other purposes, signed January 11, 1909, $75,000, together with the balance unexpended July 1, 1911, of the appropriation made for said Joint Commission for the fiscal year 1911.

Mr. MADDEN. Mr. Chairman, I make a point of order against that also.

The CHAIRMAN. The Chair will hear the gentleman from Illinois on the point of order.

Mr. MADDEN. It seems to me that if the item stricken out is legislation, this is surely legislation. There is no distinction between the two propositions; they are exactly alike. If

the one is subject to a point of order, the other is. In addition to the $75,000 appropriated, or proposed to be appropriated in the original proposition stricken out on the point of order, the suggestion of the gentleman from Iowa makes $75,000 more available, giving $150,000.

Mr. SHERLEY. That does not go to the question of the point of order, Mr. Chairman, but is on the merits of the proposition. I object to the gentleman from Illinois debating the merits of the proposition.

Mr. MADDEN. The gentleman from Kentucky is technical about it——

Mr. SHERLEY. The gentleman from Kentucky is not fractious; he is observing the rules of the House.

Mr. MADDEN. The gentleman from Kentucky is anxious to debate questions in the way he wants to, and he need not be so technical when other gentlemen on the floor have something to say about questions as they arise. I make the point of order against the proposition, Mr. Chairman.

Mr. SHERLEY. Mr. Chairman, speaking to the point of order, a treaty is as much a law of the land as a statute, and the treaty clearly authorizes the appropriation here, because the amendment offered by the gentleman from Iowa clearly limits the appropriation by carrying out the terms of the treaty.

The CHAIRMAN. The Chair will ask the gentleman from Kentucky if the treaty authorizes the appropriation proposed in this item.

Mr. SHERLEY. The treaty authorizes the appointment of commissioners, three on the part of the United States and three on the part of the United Kingdom, and defines their duties. Manifestly it is in order to appropriate money for the commissioners authorized by the treaty to carry out the duties imposed upon them.

Mr. FITZGERALD. The treaty itself provides how the commissioners shall meet and organize, and provides for the appointment of engineers, clerks, and so forth.

The CHAIRMAN. The Chair has examined the treaty, and without taking the time to read the provisions of the treaty, will have them inserted in the RECORD. The Chair is of the opinion that the provisions of the treaty authorize the expenditure proposed in the amendment offered by the gentleman from Iowa, and the Chair therefore overrules the point of order.

The paragraphs in the treaty are as follows:

ART. VII. The high contracting parties agree to establish and maintain an international joint commission of the United States and Canada, composed of six commissioners, three on the part of the United States appointed by the President thereof, and three on the part of the United Kingdom appointed by His Majesty on the recommendation of the governor in council of the Dominion of Canada.

ART. XII. The international joint commission shall meet and organize at Washington promptly after the members thereof are appointed, and when organized the commission may fix such times and places for its meetings as may be necessary, subject at all times to special call or direction by the two Governments. Each commissioner, upon the first joint meeting of the commission after his appointment, shall, before proceeding with the work of the commission, make and subscribe a solemn declaration in writing that he will faithfully and impartially perform the duties imposed upon him under this treaty, and such declaration shall be entered on the records of the proceedings of the commission.

The United States and Canadian sections of the commission may each appoint a secretary, and these shall act as joint secretaries of the commission at its joint sessions, and the commission may employ engineers and clerical assistants from time to time as it may deem advisable. The salaries and personal expenses of the commission and of the secretaries shall be paid by their respective Governments, and all reasonable and necessary joint expenses of the commission, incurred by it, shall be paid in equal moieties by the high contracting parties.

The Clerk read as follows:

Abbeville, S. C., post office: For a site and continuation of the erection of building under present limit, $10,000.

Mr. TAWNEY. Mr. Chairman, in printing the bill there have been a number of omissions and errors. The Supervising Architect is now comparing the print with his original estimates, and will send a corrected list to the committee. I ask unanimous consent to pass over the reading of the public-buildings items until a later time, when the Supervising Architect will have his list ready. I ask unanimous consent to pass over without reading items up to line 15, on page 61.

Mr. RUCKER of Missouri. Mr. Chairman, reserving the right to object, I want to ask the gentleman a question. I notice that the bill carries appropriations for beginning the construction of a good many buildings, but it omits some. Can the gentleman explain why all are not included?

Mr. TAWNEY. I will say that there is no appropriation for the construction in this bill under authorizations carried in the public-buildings bill passed at the last session of Congress. The estimates, as submitted under the authorization of the bill of 1910, included estimates only for the amount necessary to purchase the site, and where the site and building are authorized 20 per cent of the authorization is estimated for in every case for the site.

Mr. RUCKER of Missouri. There is nothing in this bill for the buildings authorized this last year.

Mr. TAWNEY. Not under the act of 1910 for construction, with three exceptions. Two exceptions are in cases where the building authorized is located in the capital of a State—one in Texas and the other in Washington—and the other exception is at Gettysburg, Pa., which the department estimated could be completed before the fiftieth anniversary celebration of the Battle of Gettysburg.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota to pass over the items referred to without prejudice?

Mr. RUCKER of Missouri. Mr. Chairman, reserving the right to object, I desire to ask the gentleman another question. Will there be any appropriations carried in another bill to be reported by the gentleman's committee for buildings authorized in 1910?

Mr. TAWNEY. Not at this session, because no estimate has been submitted, and no estimate will be submitted, and if an estimate were submitted and if appropriations were made, the money would simply lie idle until the fiscal year 1913, because the department has estimated for all the money that the department can expend on authorizations in the construction of buildings that are now authorized and for which plans and specifications have been or are being prepared.

Mr. RUCKER of Missouri. Those are buildings authorized prior to the act of 1910?

Mr. TAWNEY. Yes; buildings authorized prior to the act of 1910 will go on. The appropriations are made for them.

Mr. ADAMSON. Mr. Chairman, I was about to ask the gentleman a question, but I think the gentleman from Minnesota has substantially answered the question I desired to ask him. My understanding was that in cases of authorizations made in the last public-building bill for which this bill does not carry appropriations the reason is that it is esteemed impossible for the department to reach that work before another Congress convenes?

Mr. TAWNEY. That is exactly it.

Mr. ADAMSON. And therefore no estimates were sent in?

Mr. TAWNEY. Yes; it would be bad policy to segregate from the revenues of the fiscal year 1912 money on account of appropriations that could not be expended until 1913.

Mr. ADAMSON. In other words, you are appropriating in this bill all of the money for all the work the department can do?

Mr. TAWNEY. Yes; and we are treating every man in the House who has an authorization on an equal footing, except in the three cases that I have named, and have given the reasons for the exceptions. The reason I want this unanimous consent is that if we reach these provisions when I get the revised lists from the Supervising Architect, we will have to return and correct them.

Mr. MARTIN of South Dakota. Mr. Chairman, reserving the right to object, is it the understanding of the chairman of the committee that these appropriations for public buildings cover all the buildings authorized by the bill of 1908?

Mr. TAWNEY. Yes; all the money they can expend in the next fiscal year on the 1908 authorization.

Mr. MARTIN of South Dakota. Does it cover the authorizations for buildings, the sites of which were provided in the 1908 bill?

Mr. TAWNEY. Yes; the bill authorized in 1908.

Mr. MARTIN of South Dakota. Provided they are ready?

Mr. TAWNEY. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read.

The Clerk read as follows:

General expenses of public buildings: To enable the Secretary of the Treasury to execute and give effect to the provisions of section 6 of the act of May 30, 1908 (35 Stat., p. 537, pt. 1): For additional salary of $1,000 for the Supervising Architect of the Treasury for the fiscal year 1912, and for compensation of skilled draftsmen, civil engineers, computers, and such other services as the Secretary of the Treasury may deem necessary and specially order, to be employed only in the office of the Supervising Architect exclusively to carry into effect public building legislation, including the administrative work in connection with the annual appropriations under the control of the Supervising Architect's office: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1912, shall not exceed $400,000; for compensation of supervising superintendents, superintendents, and junior superintendents of construction, inspectors of public buildings, and inspectors of mechanical and electrical engineering, in connection with the erection and inspection of work on public buildings, at rates of compensation to be determined by the Secretary of the Treasury, but in no case exceeding $8 per day, Sundays included: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1912, shall not exceed $240,000; for compensation of mechanical labor force, including carpenters, plumbers, machinists, and such other services as the Secretary of the Treasury may deem necessary and specially order, including the compensation of superintendents and assistant superintendents of repairs, engaged in work incident to repair of buildings,

mechanical equipment, and vaults, safes, and locks, at such rates of compensation as may be determined by the Secretary of the Treasury, but in no case to exceed for any one person the rates current for similar services at the time and in the place where such services are performed: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1912, shall not exceed $80,000; for expenses of superintendence, including traveling expenses of building and furniture inspectors and other officers and employees, on duty or detailed in connection with work on public buildings and the furnishing and equipment thereof, under orders from the Treasury Department, office rent, and expenses incident thereto, for superintendents, including temporary stenographic and other assistance incident to the preparation of reports and the care of public property, and so forth; for commissions to disbursing agents in accordance with law for cost of advertising; for office supplies, including drafting materials, specially prepared paper, typewriting machines and exchange of same, and furniture, carpets, and office equipment, stationery, telephone service, and such other articles and supplies as the Secretary of the Treasury may deem necessary and specially order or approve for the use of the office of the Supervising Architect, not including heat, light, janitor service, awnings, curtains, or any expenses for the general maintenance of the Treasury building, but including not exceeding $1,500 for books of reference, technical periodicals and journals, subscriptions to which may be paid in advance, and also for contingencies of every kind and character, including compensation and expenses of judges to select plans, care of sites acquired for public buildings, commissions to architects under the provisions of the act approved February 20, 1893, traveling expenses of site agents, recording deeds and other evidences of title, telephone service at completed public buildings for use of custodians, photographic instruments, chemicals, plates, and photographic materials, and such other minor and incidental expenses not enumerated, connected solely with work on public buildings and the acquisition of sites, and the administrative work connected with the annual appropriations under the Supervising Architect's office, as the Secretary of the Treasury may deem necessary and specially order or approve, but not including surveys, plaster models, progress photographs, test pit borings, or mill and shop inspections; in all, for the foregoing objects for general expenses of public buildings, $800,000.

Mr. MACON. Mr. Chairman, I reserve the point of order upon the paragraph for the purpose of asking the chairman of the committee a question. On line 22, page 63, there is a provision for an additional salary of $1,000 to the Supervising Architect for the fiscal year 1912. Is that authorized under existing law?

Mr. TAWNEY. That is carried in the current sundry civil act.

Mr. MACON. But not authorized by law?

Mr. TAWNEY. It was held in order a year ago as being authorized.

Mr. MACON. I think not. I think it went out on the point of order and, perhaps, was put in in the Senate.

Mr. TAWNEY. My recollection is that the Chair held it in order. I may be mistaken.

Mr. MACON. I think just the other way.

Mr. TAWNEY. I know the gentleman made the point of order against it, but I think it was not sustained.

Mr. MACON. I think it was sustained because unauthorized by existing law.

Mr. TAWNEY. This is the same amount as carried in the current appropriation act. The Supervising Architect of the Treasury Department has more responsibility and more work now than he has ever had, and he has under his jurisdiction now disbursements of over twenty-one millions of dollars.

Mr. MACON. I will let it go for one year. I withdraw the point of order.

The Clerk read as follows:

Hereafter all disbursements of money appropriated for the construction of public buildings under the control of the Treasury Department shall be made by the Treasury Department at Washington, District of Columbia, except in cases of public buildings located so remote from the seat of government as to occasion hardship by undue delay in making payments to contractors; in every such exceptional case the Secretary of the Treasury may, in his discretion, require the collector of customs at or nearest the place where such building is being constructed to make the disbursement, as provided in section 1765 of the Revised Statutes of the United States, but in such exceptional cases no additional compensation shall be paid to any collector of customs for disbursements made hereunder; and hereafter no compensation or commissions shall be allowed for the disbursement of any appropriation for the construction, extension, enlargement, remodeling, or repairs of any public building under the control of the Treasury Department, except to disbursing agents heretofore appointed and who have qualified by giving bonds.

Mr. CRUMPACKER. Mr. Chairman, I reserve the point of order against the paragraph. If the gentleman from Minnesota will give his attention to the paragraph just read, I want to know how it operates in regard to the payment for construction of public buildings. Hereafter they are to be made through the Treasury at Washington. I understand the custom has been heretofore to appoint a local disbursing agent and to deposit funds subject to the order of this agent and have him pay the contractor.

Mr. TAWNEY. That is not only the custom, Mr. Chairman, but that has been the law, and this provision will not interfere with any existing disbursing officer who has qualified and given bond. Now, the purpose of this is simply this: The work of various disbursing officers is purely nominal, for which service they receive three-eighths of 1 per cent of the cost of the building. If this provision is incorporated into the law, it saves to the Government of the United States $30,000. It does not inconvenience the contractor in the least and will result in better administration.

Mr. CRUMPACKER. How does it save anything to the Government?

Mr. TAWNEY. It saves what the Government is now paying for the disbursement because the disbursement is made directly from the Treasury Department under this amendment. The checks are sent from here and the disbursing officer here works on a salary, and no matter how much money he disburses he gets no more salary on account of the increased disbursements.

Mr. CRUMPACKER. Well, I think the explanation is satisfactory. All of us who have public buildings in our district are called upon to designate or recommend somebody to disburse funds in the construction of a building——

Mr. TAWNEY. Yes; but hereafter we will be relieved—that is, those who are in the next Congress will be relieved from that burden.

Mr. CRUMPACKER. There is no money to the disburser in the three-eighths of 1 per cent; it is a very small compensation at any rate.

Mr. TAWNEY. And there is no work in it either.

Mr. CRUMPACKER. There is no work, and it is usually a banker who is designated, and the bank has the prestige of being the custodian of public funds.

Mr. TAWNEY. But the bank has not the custody——

Mr. SMITH of Iowa. That used to be the practice.

Mr. CRUMPACKER. The reason I made this inquiry was because a couple of days ago I made a recommendation of a banker as disburser of public funds for a public building in one of the districts of Indiana outside of my own. I withdraw the point of order.

Mr. DOUGLAS. Mr. Chairman, I reserve the point of order. I would like to ask the gentleman, for I did not understand what was said, the amount that would be saved.

Mr. TAWNEY. Thirty thousand dollars a year. It is the three-eighths of 1 per cent expended on the public building.

Mr. DOUGLAS. The gentleman spoke in such a low tone that I did not know to what it applied.

Mr. TAWNEY. It does not apply to any existing disbursing officer.

Mr. DOUGLAS. But is it not true now that the money for these buildings goes to the local bank?

Mr. TAWNEY. Oh, no.

Mr. SMITH of Iowa. The disbursing agent is required to deposit in a subtreasury of the United States, and he used to be required to put it in the local bank.

Mr. DAVIDSON. I would like to ask the gentleman if this is not bound to make a delay in payments?

Mr. TAWNEY. Oh, no.

Mr. DAVIDSON. Would not the estimate first have to come to the Treasury or to the customs officer?

Mr. TAWNEY. No; there will be no delay except the possibility in some remote point, and there the collector of customs in that district adjacent to the territory in which the building is located can be designated as the disbursing officer, and he does not have to qualify; he does not have to give any bond, as his duties may be added to by the order of the Secretary of the Treasury. Otherwise there will be no delay to the contractor at all.

The Clerk read as follows:

For salaries of 290 keepers of life-saving and lifeboat stations and of houses of refuge, $276,800.

Mr. O'CONNELL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 69, at the end of line 5, insert the following:
"*Provided*, That no part of this appropriation shall be expended as salary for the keeper at City Point Life Saving Station, Boston, Mass."

Mr. SMITH of Iowa. Mr. Chairman, I reserve the point of order in order to ascertain what the gentleman is driving at.

Mr. O'CONNELL. Mr. Chairman, I do not think this is subject to the point of order, and I want to call the attention of this House to the fact that we have a life-saving station at City Point, Boston, Mass., and to a situation in connection with the management of the station that should be immediately corrected for the benefit of the people. It is very necessary to have a life-saving station at City Point, but last summer we had the remarkable situation of two accidents—drownings—within 100 feet of that station, and in both instances a life was lost, besides numerous other instances of almost willful neglect. In one

instance a woman, the mother of seven children, a splendid long-distance swimmer, became exhausted within a hundred feet of the station at about half past 11 o'clock in the daytime. The man swimming ahead of her yelled for help, and no assistance came. A man who was rowing around came to their assistance and towed them to the life-saving station. The woman died. She did not recover consciousness. On another occasion a very fine lady swimmer fell overboard with her companion, and there were cries for help loud enough to attract the attention of the captain of a boat who was sleeping three times the distance away.

Mr. FITZGERALD. During what month of the year?

Mr. O'CONNELL. One on the 5th of August and the other on the 10th of October. It seems very strange to me that such a situation as that should be permitted to continue, and in order to overcome it I have introduced this amendment.

Mr. CRUMPACKER. Will the gentleman allow a question?

Mr. O'CONNELL. Yes.

Mr. CRUMPACKER. If the amendment is adopted it will result in the abolition of that station altogether.

Mr. O'CONNELL. No. My amendment is simply to the salary of the keeper who is in charge there.

Mr. SMITH of Iowa. It does not say anything about the present keeper at all, does it?

Mr. O'CONNELL. The present keeper. I am not looking out for future or past keepers.

Mr. CRUMPACKER. It seems to me the gentleman's criticism ought to be directed toward the removal of the present keeper. His amendment would practically close that station altogether.

Mr. O'CONNELL. I would not have the station closed, and it should not be closed, as it is a very useful and necessary station. But what are you going to do with a situation when a man is put in charge of a station and he is absolutely derelict in his duty, as the keeper has undoubtedly been down there?

Mr. HULL of Iowa. Have him removed.

Mr. O'CONNELL. How are you going to do it? Or by what method better than this one I propose?

Mr. HULL of Iowa. It seems to me the gentleman's statement would cause his removal by anybody having charge of his removal.

Mr. POINDEXTER. Has the gentleman ever called the attention of the officer in charge to this neglect and misconduct on the part of this keeper?

Mr. O'CONNELL. No; but there have been reports against it by other parties.

Mr. SHERLEY. Has the gentleman personally ever taken it up with the superintendent here in Washington?

Mr. O'CONNELL. I took it up, and he said they made an investigation and they exonerated the captain because there was no proof. But this fact is plain—that two people met their death within a hundred feet of a life-saving station maintained by the United States, and we are paying enormous sums of money to patrol the coast to guard against and prevent such occurrences. Here were men who evidently were sleeping in their bunks in a life-saving station in waters that are not very troublesome, but are dangerous simply because of the amount of boating, and they could not hear a cry of distress within 50 feet of the station. Surely something is wrong when such men are continued in office and when men are exonerated because testimony can not be found. I think it is time for this House to say that that man shall not continue longer in that office. [Applause.]

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

The CHAIRMAN. Will the gentleman from Massachusetts yield?

Mr. O'CONNELL. I will; yes.

Mr. DOUGLAS. I did not catch the gentleman's reply to the question of the gentleman from Washington [Mr. POINDEXTER], whether he himself has ever gone to the superior officer of this man and made any representations as to his negligence. It does not do to say that complaints have been made, and all that, but did he himself call it to the attention of those who could discipline the man if he had done wrong?

Mr. O'CONNELL. Did I personally call it to his attention?

Mr. DOUGLAS. Yes.

Mr. O'CONNELL. No; because it had been called to their attention. And to verify it I called up Supt. Kimball this morning to find out what had been done about it. He said that nothing had been done about it.

This letter was written last October by the brother of the girl who was drowned:

UNITED STATES LIFE-SAVING STATION,
Washington, D. C.

DEAR SIRS: Francis J. Lyons, brother of Lillian Lyons, requests this department to look into the matter of time elapsed from time of rescue of Thomas McCorey, 2.25 a. m. till 5.30 a. m., on October 15, 1910. Why had not the keeper of the City Point Life-Saving Station looked for the body immediately after the arrival of McCorey at station.

The girl, being an excellent swimmer, must have drifted 2½ miles to Carson Beach, for if the girl had drowned she would have sank. The water front of accident is well equipped with lights and easy to see anyone afloat in the water, and in my estimation and many others of this vicinity it was a criminal case of carelessness, and a man of his position I should say used very poor judgment.

Hoping to hear from you without delay, I am,
Respectfully, yours, FRANCIS J. LYONS.

I asked Mr. Kimball, the superintendent, this morning if that letter had been answered. He said, "No; but we investigated the case and found that the girl could not be saved." But the girl drifted five hours in Dorchester Bay and was an expert swimmer, and her male companion was rescued. In the dusk and darkness she was not seen, but ought to have been heard if the life-saving officials were properly doing their duty. A man on the boathouse, twice as far away, heard her cries and heard his cries.

I would like, Mr. Chairman, to send to the Clerk's desk a few statements concerning this incident, and several others equally bad, and ask to have them read.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'CONNELL. Mr. Chairman, I ask unanimous consent to be allowed to proceed for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to be allowed to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

LIFE SAVERS REFUSED TO ASSIST—FIVE RESCUED MEN IN CRITICAL CONDITION TURNED AWAY FROM UNITED STATES LIFE-SAVING STATION—OCTOBER 9, 1910—STORY AS TOLD BY JOHN F. STOUT, 47 OLD HARBOR STREET, SOUTH BOSTON.

Sunday afternoon, October 9, Mr. and Mrs. Walter Tighe, Mr. and Mrs. Benjamin Weston and three daughters, Mrs. Stout and myself were out in my boat, the *Beatrice III*, a launch, and went around Squantum——

Mr. O'CONNELL. Mr. Chairman, if the Clerk will allow me, I would like to read those statements myself. I would like to read them in such a way that they can be understood. [Laughter.]

The Clerk read as follows:

Sunday afternoon, October 9, Mr. and Mrs. Walter Tighe, Mr. and Mrs. Benjamin Weston and three daughters, Mrs. Stout, and myself were out in my boat, the *Beatrice III*, a launch, and went around Squantum and came up and around the east side of Thompsons Island. While I was below I heard a noise as if it was a splash, and Mr. Tighe told me to come up in a hurry. I did so, and I saw several men struggling in the water. There were five men in the water, just north of Wards Island and directly east of the life-saving station in Dorchester Bay. The day was clear, and if there was a man on the lookout on the station I do not understand how he could have failed to see the men in the water. They were in danger of drowning; there is no doubt of that. There were two sailboats near at hand, and their two tenders were out trying to do what they could.

Well, the five men were taken from the water and into my boat, and then we started up Dorchester Bay. Two of the men were pretty far gone, and the women attended to them as best they could. One man was absolutely helpless and could not move a limb. Three were completely exhausted, besides the other two who could not move and were very nearly all in.

We started right for the life-saving station and went up alongside, and we sang out to the man up on the bridge, who was on watch, telling him that we had saved five men who had capsized down below, and that they required immediate assistance. He turned around to some one else, evidently higher in authority, and spoke to him. The second man, with a cap and blue suit on, asked me where the men belonged. I turned to the five men in my boat and asked them, but their condition was such that not one of them could answer very well. They could just whisper, and I learned that one lived in South Boston and two of them in the South End, and I told this to the man on the station who had asked me. He then said to me, "Are you not going to land?" and I said that I was, but that the men in my boat required immediate attention, as they were in pretty bad shape. "Well, do not you think that you can take them ashore?" said the man to me, as he looked right down and could see the men in my boat. I said, "Can not you take them on your station and attend to them?" and he again repeated the question as to whether I could not take them ashore, and I said I could, of course.

We took the five men to the Mosquito Fleet Yacht Club, and there they were attended to.

SLOOP IN DISTRESS—LIFE SAVERS NOTIFIED, BUT FAILED TO GO TO THEIR ASSISTANCE—OCTOBER 2, 1910—STORY AS TOLD BY JOHN F. STOUT, 47 OLD HARBOR STREET, SOUTH BOSTON.

On Sunday, October 2, I was down the harbor, with about 14 friends from the Western Union Telegraph Co., on board my boat, *Beatrice III*. The wind was blowing very heavy. As we were going by Thompsons Island, near Spar Buoy, we saw a sloop yacht at anchor and with the American flag upside down, a sign or signal of distress. I was going to try and get in close to the sloop but was told, and I realized, that it would be hazardous, as the sea was so rough. The men said they were all right for awhile, but for me to go to the life-saving station and tell them there that they wanted assistance.

We went to the life-saving station, and with much difficulty got alongside. It was about 3.45 in the afternoon then, and I said to the man on watch, "There is a yacht in trouble down below there, on the north side of Thompsons Island, and he must have assistance right away. You can see the flag is upside down." He said: "Yes; that will be all right."

Well, we then started for the Mosquito Fleet Yacht Club, and all the way I kept looking back at the life-saving station. I could see the two

launches in that cut-under at the stern of the station, and I could see the big launch, the steam launch, near the station. I watched and watched all the time we were approaching the yacht club, and I stood on the yacht club raft and kept watching. For more than 20 minutes I had my eyes on the life-saving station, and I am positive that not a boat put out from the station in that 20 minutes. Not a man stirred away from the station. I am certain that no one from that life-saving station went to the assistance of that sloop in distress within the 20 minutes after I had notified them.

DROWNED NEAR THE STATION—MISS LILLIAN LYONS SHOULD HAVE BEEN RESCUED BY LIFE-SAVERS OCTOBER 15, 1910.

The Boston papers of Saturday evening, October 15, 1910, told the story of the capsizing of a tender alongside the power boat named the *Gertrude*, enrolled in the Boston Yacht Club, and which was anchored 50 feet from the live-saving station, and the drowning of Miss Lillian Lyons, of 26 P Street, South Boston, and the rescue of Thomas H. McCorry, of 161 O Street, South Boston, by Capt. Baker, the latter of a house boat used as restaurant, etc., in Dorchester Bay. Miss Lyons was 28 years of age, an expert swimmer, and McCorry about the same age.

Stories differ as to what they were doing on the boat at night. McCorry told a newspaper reporter that they had been out on a short trip, and arriving back between 9 and 10 o'clock at night (Friday, October 14), the wind was too strong and the water too rough to then attempt to go ashore. They waited until shortly after midnight.

From the fact that the girl's watch stopped at 1.48, and the story of McCorry, it is believed that they started to board the tender to go ashore about 1.30, or shortly afterwards.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. O'CONNELL. Mr. Chairman, I ask unanimous consent to allow the Clerk to finish reading those papers. I will ask for five minutes. I shall conclude in five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

The Clerk continued reading, as follows:

McCorry's story then continues:

"Miss Lyons stepped into the tender, which was just alongside the *Gertrude*, and I went below to put out the lights and to lock the cabin doors. I heard her scream, and I rushed out on the deck. She was in the tender, leaning to one side, inside toward the *Gertrude*, and holding on to the painter, or the rope, and she was partly in the water. I suppose her weight was all on one side, thus tipping the boat. Anyway, I jumped into the tender and it then upset. We were both in the water.

"I caught Miss Lyons the first thing. I put an arm about her so that it was under one arm, about her back, and my hand around near her other arm and was holding her up and in good shape, and I struck out for the *Gertrude*. She cried out to me, as she struggled to free herself from me, 'For God's sake, Tom, let go of me, and I'll be all right.' At first I did not let go, but when she insisted and we were quite near to the steps on the side of the *Gertrude* I let go of her, believing that she was all right, as she said she was, and that she would grab the steps.

"The *Gertrude* was not more than 50 feet from the life-saving station and about three times as far as that from the houseboat. We yelled for fully 15 minutes. It seemed hours to me. She called for help, and my voice was good and I kept yelling all the time.

"I could see Miss Lyons at times, her head just above water, and she was swimming in good shape, and I thought sure she would be all right.

"Capt. Baker, of the houseboat, rescued me. He took me out of the water just as I was about to give up. He had been asleep on the houseboat, way down in his room, and he said that our cries had awakened him. He put out in his boat and came just in time to get me.

"Capt. Baker took me to the life-saving station, and we had a hard time trying to rouse somebody on the station. They looked after me there, and then I came ashore."

When the affair was reported to the police of Station 12 it was stated that Capt. Baker had a hard time of it trying to attract attention of those on the life-saving station.

In Station 12, when Capt. Hamilton, of the life-saving station, was asked how he could account for it that the Lyons girl and McCorry had been yelling and crying out for help while they were in the water and there was not a stir or response of any kind from the station, Capt. Hamilton answered, "I don't know how it could be. There should have been a man on watch there."

The body of the Lyons girl was found on Carson Beach, the further end (western end) of Dorchester Bay, shortly before 7 o'clock. It was considered remarkable by every one, especially the yachtsmen, that she could have gone from near the life-saving station way up to the other end of the bay in five hours. From the story of McCorry and the fact that the girl was an expert swimmer, it is generally believed that she swam the whole or the greater part of Dorchester Bay, and then, becoming exhausted, gave up when near Carson Beach.

INTERFERED WITH POLICE—REFUSED ADMITTANCE TO PATROLMEN AFTER A CRIME HAD BEEN COMMITTED—ABOUT AUGUST 1, 1909.

At about 11.45 at night (Aug. 1, 1909, or thereabouts) hundreds of people at City Point, all along the Strandway, in yacht clubs and on the shore, heard terrific, wild screams coming from Dorchester Bay.

As the story of the affair developed, it was that Miss Esther Goldstein was on a power boat with two or more men and the attempted criminal assault upon her. It was her screams that were heard. Capt. Hickey, of the volunteer life-savers (headquarters in the headhouse), went out in a boat with two or three others. They came upon the power boat in which the trouble had occurred. Capt. Hamilton, of the volunteer life-savers, was there ahead of Capt. Hickey and the others. He had boarded the boat and, at the point of a revolver, had stopped the men and commanded them to make for the shore. This they did.

Capt. Hamilton, Esther Goldstein, and two or three men landed at the raft of the South Boston Yacht Club and were there for more than 15 minutes.

The screams had been heard by Patrolmen Scanlan, Dorsey, and Stickney, of Division 12, who hastened to the South Boston Yacht Club.

The three policemen rapped at the door of the yacht club and peered through the windows of the door and on each side of the door.

The policemen afterwards reported to their superior that they had rapped at the door and the windows. They saw Capt. Hamilton in the vestibule, just on the inside, and he was talking to the people whom he had brought ashore and was taking names, etc.

The police called to Capt. Hamilton to open the door and let them in. He said that he had no right to open the door, and, anyway, he said, he had no key. The policemen asked him what the trouble was, and he answered, "Oh, it's nothing; it's nothing." The patrolmen urged for some explanation, and Capt. Hamilton said that he could not open the door and that there was nothing the matter. On being further pressed, Capt. Hamilton, talking through the door, said that it was nothing only that the girl had got frightened. The policemen took his word for it and went away.

Twenty minutes afterwards another policeman found Esther Goldstein at the corner and P and East Second Streets in an hysterical condition, and she asked for a carriage. She was sent to her home.

As the affair developed, days afterwards, the Goldstein girl told the police the full story and a warrant was asked for and granted for the arrest of a man named Bruilandt on the charge of attempted rape on Esther Goldstein, etc., and in the South Boston court Bruilandt was bound over to the superior court. There the case was nol-prossed. Nothing more was done. The South Boston police sent the whole story to headquarters, but nothing further came.

Mr. O'CONNELL. Mr. Chairman, we can dispense with the further reading of the others. Of course I realize that it is difficult for me to ask the House to take my judgment on the facts at this time, but these incidents brought to your attention ought to make the House realize that something is going on there that is radically wrong. My amendment could be enacted now, and between to-day and the time this bill is considered in the Senate, if the facts are not verified, the original language can be restored, and the House can then agree with the Senate in conference.

The secret of the matter is contained in this last paragraph of a letter that I received from a very reputable citizen of Boston:

Women visit the station in large numbers and are entertained aboard. This is very frequent. Very few yachtsmen can be found who will talk. They seem to be afraid, and, again, many of them enjoy privileges of bringing their friends out on the station and being entertained. Yachtsmen have said to me that there ought to be a crew of experienced men, and married men at that.

During this season of 1910 there have been no Coston signals nor signal balls nor anything at the head-house shore with which to signal the station.

These comments follow such charges as the following, contained in this same letter:

Either Thursday or Friday, August 4 or 5, of this year, Mrs. Mahegan, wife of a South Boston letter carrier, started on her usual swim from the head house to the life-saving station, of course intending to swim back again. Ahead of her was a fireman named Sterns. Both were very heavy people. Mrs. Mahegan became exhausted within less than a hundred feet of the life-saving station. Sterns caught her and held her up, waving and shouting repeatedly at the man on watch at the station. No notice was taken of their cries for help. Teddy Shepheard, formerly janitor of the Columbia Yacht Club, was out in a small boat, and he called to Sterns to catch on to the stern end of his (Shepheard's) boat and at the same time keep hold of Mrs. Mahegan. Sterns did so, and Shepheard brought them to the life-saving station. Until late that afternoon (from 11 a. m. to 4 p. m.) Mrs. Mahegan was kept on the life-saving station, then taken home, and the next day to the city hospital, where she died of an internal hemorrhage.

There's one story.

Then, again, early in June of 1909, on a Saturday night when it was blowing and raining fiercely, two men in a small boat were upset in Pleasure Bay while attempting to go out to a sloop. Their yells were heard by the volunteer life-savers, who burned a Coston light for the United States life-savers, but got no response. The volunteers launched their own frail boat, and 100 feet from shore were upset. They pushed their boat ashore, bailed her out, and then launched her again, went out and rescued two men who were just about exhausted. It was just 50 minutes from the time they started until the volunteers got back to their quarters and attended to the two men rescued, and then 10 minutes later Capt. Hamilton came ashore and wanted to know what was the matter.

Now, gentlemen of this House, it seems to me that a case has been made out in these statements that calls for action on our part.

Mr. MOORE of Pennsylvania. I know the gentleman does not wish to do any injustice to a very valuable branch of the Government service, and I ask him if he will not describe the conditions round about this place? Is it a summer resort, where a large number of people go upon the water in small boats, or is it a remote point, like those at which many of the life-saving crews are stationed?

Mr. O'CONNELL. It is probably the most crowded yachting rendezvous on the face of the earth. There are more small boats gathered within a radius of 1 mile of that one point than can be found, probably, in a dozen others of the very crowded spots on the whole globe. It is a very important place, and a life-saving station, maintained up to the highest kind of efficiency, should be maintained there. The greatest care should be exercised in selecting a proper crew, and particularly in the choice of a good officer to supervise and superintend the station. No man of any careless tendencies should be allowed to direct or preside over that station.

Mr. BURKE of Pennsylvania. Inasmuch as the gentleman desires to penalize an individual and not abolish the station, I

suggest that he insert the word "present" before the word "keeper."

Mr. O'CONNELL. I am willing to accept that. Mr. Chairman, let the Clerk report the modification.

The Clerk read as follows:

Insert the word "present" before "keeper," so that it will read: "Salary of the present keeper of City Point Life-Saving Station."

The CHAIRMAN. If there be no objection, the amendment offered by the gentleman from Massachusetts will be modified in the manner indicated.

There was no objection.

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

The question being taken, on a division (demanded by Mr. O'CONNELL) there were—ayes 35, noes 19.

Mr. SMITH of Iowa. I demand tellers.

Tellers were refused, 16 Members, not a sufficient number, rising in support of the demand.

Accordingly the amendment was agreed to.

The Clerk read as follows:

REVENUE-CUTTER SERVICE.

For expenses of the Revenue-Cutter Service: For pay and allowances of captain commandant and officers of that rank, senior captains, captains, lieutenants, engineer in chief and officers of that rank, captains of engineers, lieutenants of engineers, two constructors, cadets, cadet engineers, two contract surgeons, two civilian instructors, and pilots employed, and rations for pilots; for pay of warrant and petty officers, ships' writers, buglers, seamen, oilers, firemen, coal heavers, water tenders, stewards, cooks, and boys, and for rations for the same; for allowance for clothing for enlisted men; for fuel for vessels, and outfits for the same; ship chandlery and engineers' stores for the same; actual traveling expenses or mileage, in the discretion of the Secretary of the Treasury, for officers traveling on duty under orders from the Treasury Department; commutation of quarters; for maintenance of vessels in the protection of the seal fisheries in Bering Sea and the other waters of Alaska, and the enforcement of the provisions of law in Alaska; for maintenance of vessels in enforcing the provisions of the acts relating to the anchorage of vessels in the ports of New York and Chicago, and in the Kennebec River, and the movements and anchorage of vessels in St. Marys River; for temporary leases and improvement of property for revenue-cutter purposes; not exceeding $7,000 for the improvement of the depot for the service at Arundel Cove, Md.; not exceeding $150 for medals for excellence in marksmanship; contingent expenses, including wharfage, towage, dockage, freight, advertising, surveys, labor, and all other necessary miscellaneous expenses which are not included under special heads, $2,288,000.

Mr. PETERS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

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

The Clerk read as follows:

Page 72, after line 7, insert:

"The two revenue cutters authorized by the act entitled 'An act authorizing the Secretary of the Treasury to provide two new revenue cutters, and for other purposes,' approved April 21, 1910, or either of them, may, upon request of the Secretary of the Treasury, and at the discretion of the Secretary of the Navy, be constructed in any navy yard on the basis of the actual cost of construction."

Mr. SMITH of Iowa. I make a point of order against that.

Mr. PETERS. Will the gentleman reserve his point of order until I can make a statement on the merits?

Mr. SMITH of Iowa. If the statement is not too long I will reserve the point of order.

Mr. PETERS. Mr. Chairman, last year Congress passed a bill providing for the construction of two additional revenue cutters. This legislation was enacted as a result of the unanimous report of the Committee on Interstate and Foreign Commerce and at the recommendation of the Secretary of the Treasury. Pursuant to the authority given by that act, the Secretary of the Treasury advertised for bids and estimates for the construction of these revenue cutters. No one complied with the request, and no bids were made. On December 20 a letter was sent from the Secretary of the Treasury, Mr. MacVeagh, asking that legislation be enacted which would authorize the Secretary of the Navy to construct these two revenue cutters in the navy yards of the United States. From the letter I read a part:

The Revenue-Cutter Service is very much in need of the two new cutters that have been authorized by Congress, and is seriously embarrassed by the fact that no proposals can be obtained for their construction. The best solution of the difficulty appears to be the construction of the vessels in a navy yard at the actual cost of labor and materials, and with this end in view the draft of the inclosed joint resolution has been prepared.

The Committee on Interstate and Foreign Commerce reported a bill which gave to the Secretary of the Navy this authority. The report of that committee was unanimous, and the bill so reported was placed on the Calendar for Unanimous Consent. Unfortunately for its fate, the bill was reached on a day when one of the Members here, feeling that he had a grievance, objected to unanimous consent on all bills which came up. Without regard to the merits, and with no objection to the bill, it was refused unanimous consent. Therefore it went off the Unanimous Consent Calendar and is now on the House Calendar, and so will not be reached this year. It is to carry out the intentions of this bill that the amendment which I have just offered is submitted.

There is very urgent need in the Revenue-Cutter Service for these vessels. Vessels of the Revenue-Cutter Service are obliged to go out on the sea in storms, meeting the conditions which we have on our Atlantic seaboard in all seasons and in all weathers. In addition to the ordinary maintenance of the Treasury service in the collection of customs, revenue cutters are called on constantly to lend their aid to vessels in distress. In the fiercest of our winter gales the vessels of the revenue service put to sea, and never a winter passes without numbers of vessels owing their safety to the timely aid of these hardy craft which each winter save many human lives and preserve much property and many vessels from loss.

The present vessels are, several of them, old ones and antiquated in design, and new and more efficient boats should be provided.

The Treasury Department has failed under the present conditions to obtain bids on the vessels, and this proposal will help the organization of the navy yards and also furnish the Revenue-Cutter Service with these much-needed craft. I hope the gentleman will withdraw the point of order through the urgent necessity of this measure.

Mr. SHERLEY. Will the gentleman yield?

Mr. PETERS. Certainly.

Mr. SHERLEY. Would the adoption of the gentleman's proposed amendment serve to take off the limit of cost?

Mr. SMITH of Iowa. Mr. Chairman, if I can get an agreement to close debate on the amendment at this time I will withdraw the point of order.

Mr. MOORE of Pennsylvania. Then I will reserve the point of order.

Mr. SMITH of Iowa. Then I shall make the point of order.

Mr. MOORE of Pennsylvania. Against the amendment?

Mr. SMITH of Iowa. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not want to defeat the construction of these revenue cutters.

Mr. SMITH of Iowa. There is no use in wasting any more time on this proposition.

Mr. MOORE of Pennsylvania. I have no desire to waste any time or defeat the construction of these revenue cutters.

The CHAIRMAN. Is there objection?

Mr. MOORE of Pennsylvania. I do not object.

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:

Pay of assistant custodians and janitors: For pay of assistant custodians and janitors, including all personal services for the care of all public buildings under control of the Treasury Department outside of the District of Columbia, and washing towels, sprinkling streets, and removing rubbish, in connection with said buildings, exclusive of marine hospitals, mints, branch mints, and assay offices, $2,500,000; and the Secretary of the Treasury shall so apportion this sum as to prevent a deficiency therein.

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

The Clerk read as follows:

On page 78, line 18, after the word "herein," insert the following: "*Provided*, That the salary of janitors shall in no case be less than $65 per month."

Mr. SMITH of Iowa. Mr. Chairman, I reserve a point of order to that.

Mr. DAVIDSON. Mr. Chairman, I hope the point of order will not be made. If it is I hope it will not be held in order, because it seems to me that this is the only possible way that we can increase the salary of janitors of public buildings. They are now very inadequately paid. In some cases they get $55 per month, and yet janitors of some city high schools, courthouses, and normal schools get from $75 to $90 a month. In many cases they not only get $75 a month, but they get quarters in the building. And some get light and heat. In school buildings they get three months' vacation in the summer. And yet here we have a system under which the janitors in public buildings get as low at $50 or $55 a month. It seems to me that there ought to be some way to increase it. The only increase in this item is that made necessary by additional public buildings. I have examined the hearings, and I find that there is nothing there to indicate that they propose to increase the salaries of the janitors in any instance. The whole process of fixing the compensation is left to somebody up in the Treasury Department. There is no system about it by which the payment is equalized, and it seems to me that where the janitor of a public building gives his entire time and services and has the responsibility of caring for and looking after Government property he should be paid at least $65 per month. The amend-

ment I have offered is simply a limitation on the appropriation. It will check the tendency of the department—which I think exists—of paying some janitors much higher compensation than is paid to others simply by associating with the title of janitor the title of fireman or messenger or something of that kind.

There are only a few of these men, one in each of the smaller towns where a public building is located. In the larger cities the janitors do not have the responsibility, because they have a custodian and engineer and different officers. But in the smaller cities the janitor has entire charge of the building and has to take care of the heating plant and all that sort of thing, and it seems to me that this provision ought to go into the bill.

Mr. SMITH of Iowa. Mr. Chairman, I think it is subject to a point of order. The allowance for labor and janitor service is now discretionary with the Secretary of the Treasury. It is proposed to take from him that discretion, or at least limit it, so as not to enable him to place it below the amount named. It is not customary, Mr. Chairman, to assign a janitor to every public building, but to assign a laborer.

The expense of this work alone under this item has grown up with tremendous rapidity. An examination of the record will show that the appropriation for 1903 was a million dollars; it has now gone up to $2,500,000, because of the increased number of Government buildings; and so rapidly has this grown that to-day the expense for fuel and janitor service for a building in a small town costs more than the rent, fuel, and light of a rented building, and these gentlemen who are trying to hoist these expenses are doing what they can to prevent the Government erecting public buildings in these small towns. There is not a town of 5,000 people in the United States where you can not get the store building necessary for a post office with fuel and lights for $1,000 a year, and yet it is insisted that if we build these buildings we ought to pay almost as much for janitor service alone as the total cost was under the rental system.

Gentlemen are standing in the light of the people of this country in trying to hoist the expense of caring for these Government buildings beyond all reason. A mere laborer charged with the care of a Government building in a small town of 5,000 people is not employed all day. He is but a part of his day employed, and he is amply paid at less than that suggested by the gentleman in such cases, and to put a statutory minimum on this salary is to vastly increase this amount and to insure a deficiency under this head of the appropriation and to make it more difficult to get buildings for small towns.

Mr. STAFFORD. Can the gentleman inform the committee as to the minimum salary paid to these janitors?

Mr. SMITH of Iowa. I can not from memory, but I think it is $60.

Mr. DAVIDSON. I think $55 for the janitor in my own town.

Mr. SMITH of Iowa. I think the gentleman has not got a janitor in his own town, but a laborer.

Mr. DAVIDSON. It is the compensation, and he comes under that head and is paid as such. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I offered and substitute the one which I now have written in its place.

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. DAVIDSON. I offer the following amendment.

The Clerk read as follows:

Provided, That no part of this appropriation shall be paid to the janitors of public buildings who receive a salary of less than $65 per month.

Mr. SMITH of Iowa. Mr. Chairman, I make the point of order against that.

Mr. CRUMPACKER. Mr. Chairman, I want to suggest a thought or two upon the point of order. There are three or four public buildings in the district that I have the honor to represent. They are not in very large towns. The probabilities are that the janitors in charge of them do not get $65 a month. I think they ought to get something, but the proposed amendment, if it is in order, must be construed, of course, to withhold from that class of men any pay at all. If they are to get pay at the rate of $65 a month, then the amendment is not in order. The question is how the department would construe the amendment—whether it would conclude that it was the intention of Congress to discharge all of the janitors throughout the country that are now receiving less than $65 a month, and allow the public buildings to go without them, or whether the department would construe it that Congress was in at least a lucid interval when it enacted this legislation and did not intend to do a thing like that, but intended, on the other hand, to increase the salaries of janitors to $65 a month.

Mr. SMITH of Iowa. I think it is entirely plain that under this provision the postmaster must sweep out himself, just as he used to before he got the Government building.

Mr. CRUMPACKER. I doubt if the executive department of the Government would put any such interpretation on it, because when Congress desires to abolish an office—and it is such a rare occasion that it does—it employs apt language and it does not attempt to conceal its purpose in any such fashion as this, and the departments would conclude that this proposition is an increase of salary. If it does not provide for an increase of salary, I am against the amendment, for it would prevent the payment of any salary at all.

The CHAIRMAN (Mr. OLMSTED). The Chair is ready to rule. It seems to the Chair that the manifest purpose of this amendment is to control the discretion at present vested in the officer who fixes the salaries of janitors by fixing the minimum amount of the salary at $65 per month. If enacted into law, it would be construed naturally as requiring the payment of that salary, which is higher than is now required by law, thus changing existing law. It is therefore in violation of the provision of section 2 of Rule XXI, which says:

Nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The Chair sustains the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Curtis, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 10849. An act to authorize the city of Shreveport to construct a bridge across Red River.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCCALL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 9903) to authorize the Sheridan Railway & Light Co. to construct and operate railway, telegraph, telephone, electric-power, and trolley lines through the Fort Mackenzie Military Reservation, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. BULKELEY, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 9904) granting certain rights of way on the Fort D. A. Russell Military Reservation at Cheyenne, Wyo., for railroad and county-road purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. BULKELEY, and Mr. TALIAFERRO as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, and for no other purpose whatever, except in the protection of the person of the President of the United States, $135,000: *Provided*, That no part of this amount be used in defraying the expenses of any person subpœnaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts."

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 80, line 22, after the word "laws," "and an investigation and suppression of all crimes committed in the Treasury Department."

Mr. TAWNEY. Mr. Chairman, I make a point of order against the amendment.

Mr. MICHAEL E. DRISCOLL. Well, I do not think the gentleman will seriously claim that it is subject to the point of order.

Mr. TAWNEY. I shall seriously claim it is subject to the point of order. It is transferring to the Treasury Department jurisdiction over the investigation of crimes, which is now under the control of the Department of Justice.

Mr. MICHAEL E. DRISCOLL. It has not been questioned but what this is within the law. It simply provides that the Secret Service force may be employed by the Secretary of the Treasury in the investigation, detection, suppression, and punishment of crimes in the department. That question was up before two years ago and nobody raised the question that it was subject to the point of order or that it was not within the law.

Mr. TAWNEY. I will say, Mr. Chairman, as I heard the amendment read, it enlarges the scope of the activities of the Secret Service to the investigation of all crimes against the United States——

Mr. MICHAEL E. DRISCOLL. No; in the Treasury Department; simply confined to that department.

Mr. TAWNEY. I did not so understand it.

Mr. MICHAEL E. DRISCOLL. It is only in the Treasury Department.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the amendment was again reported.

Mr. TAWNEY. Well, Mr. Chairman, it says "all crimes committed in the Treasury Department." I suppose what the author of the amendment means is all crimes committed against the United States over which the Treasury Department has jurisdiction.

Mr. MICHAEL E. DRISCOLL. Certainly.

Mr. TAWNEY. The Treasury Department now has two bureaus, the Customs Bureau and the Internal-Revenue Bureau, where men are employed for the purpose of enforcing internal-revenue and customs laws, and this, of course, changes the existing law governing the employment of other employees in the bureau.

Mr. BENNET of New York. Will the gentleman yield for the purpose of my suggesting that possibly the attention of my colleague has not been directed to the language on the top of page 75, where provision is already made in this bill for the use of these various agents for the very purpose which my colleague desires.

Mr. TAWNEY. I was going to call the attention of the gentleman to the fact that provision has already been made.

Mr. MICHAEL E. DRISCOLL. Then I take it the chairman of the committee has been enlarging the powers and usefulness of this force since two years ago.

Mr. TAWNEY. No; I will say to the gentleman from New York that a year ago we provided for a detail of not to exceed three from any one of these bureaus for service in connection with any investigation within the jurisdiction of the Secretary of the Treasury that he might desire to make. Now he has reported to the committee that, in his judgment, he ought to have four instead of three, and we have increased the number to four instead of three, as heretofore carried.

Mr. MICHAEL E. DRISCOLL. I would like to ask the gentleman, since this section provides and has provided for some time back that the Secret Service men could be used only for the detection and punishment of counterfeiters and the protection of the person of the President, whether since two years ago any laws have been enacted by which the Secret Service force may be used for the protection and punishment of other crimes or for the violation of other laws?

Mr. TAWNEY. None whatever, except in the cases which I have just mentioned, where he is at liberty to employ during this fiscal year not to exceed three and in the next fiscal year, if this provision should pass, he will be authorized to employ four.

Mr. MICHAEL E. DRISCOLL. Can not he employ some of these for the protection and punishment of crimes against the customs laws?

Mr. TAWNEY. He has four, and his authority for the employment of as many Secret Service men outside of the Secret Service in his department as he may desire is unlimited.

Mr. CRUMPACKER. Will the gentleman allow me to ask him a question? Did not the law providing for the Secret Service, in the first place, confine it to counterfeiting and offenses against bounty and to pension investigations?

Mr. TAWNEY. That is a fact.

Mr. CRUMPACKER. That is, subsequent legislation authorized the use of the Secret Service for the personal protection of the President in addition?

Mr. TAWNEY. Yes.

Mr. CRUMPACKER. And that is as far as the law goes now?

Mr. TAWNEY. Except, in the last session of Congress, we permitted the Secretary to employ not to exceed three men for the purpose of investigating any crime committed against any law which the Treasury Department is charged with the duty of administering.

Mr. CRUMPACKER. Was that a permanent appropriation, or for the fiscal year?

Mr. TAWNEY. That was permanent, but we changed it in this case, increasing it to four.

The CHAIRMAN. The Chair would like to ask the gentleman from New York [Mr. MICHAEL E. DRISCOLL] if there is any authority of law for the investigation or suppression of crime committed in the Treasury Department not existing in the Secretary of the Treasury?

Mr. MICHAEL E. DRISCOLL. I do not think there is any provision of law for anything in this section. And if you require original statute law for it, all of it can be stricken out, but if the rest of it is allowed to stand, then this amendment is germane and is not subject to a point of order.

Mr. BARTLETT of Georgia. May I ask the gentleman a question? I want to know if this is not a provision for payment of inspectors for investigating offenses which the Department of Justice may choose to investigate, but confined to the Treasury Department?

Mr. TAWNEY. Oh, no. This relates exclusively to the men employed in the Treasury Department.

Mr. BARTLETT of Georgia. That is what I asked.

Mr. TAWNEY. Under the Secret Service appropriations for the detection of alleged counterfeiting and the protection of the person of the President.

Mr. BARTLETT of Georgia. And the customs service?

Mr. TAWNEY. It does not relate to the customs service at all.

Mr. BARTLETT of Georgia. Then the inspectors or agents that the Government has sent out for the investigation of violations of the postal service and those used by the Department of Justice are entirely different from these that you provide for?

Mr. TAWNEY. Yes, sir.

The CHAIRMAN. The Chair is ready to rule. The Chair has not stopped to investigate nor to inquire whether there is authority of law for the paragraph in its existing form, no point of order having been made against it, but, assuming that a point of order would have lain against the existing paragraph, nevertheless this amendment proposes a new substantive proposition, giving authority for the investigation and suppression of something for which there is not now authority of law. The Treasury Department has many branches and divisions. The investigation and suppression of crime comes under the general authority of the Attorney General's Department. The same point was ruled upon June 16, 1910, the gentleman from Connecticut [Mr. TILSON] being in the chair, and it was held that—

Although an unauthorized appropriation may be permitted to remain in an appropriation bill, yet this does not permit an amendment adding another germane but unauthorized appropriation.

The present occupant of the chair thinks that was a proper ruling. The point of order is sustained.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I wish to offer another amendment here for the purpose of asking another question. On page 80, line 21, strike out the word "other."

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

The Clerk read as follows:

Page 80, line 21, strike out the word "other."

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

Mr. FITZGERALD. Mr. Chairman, I reserve a point of order against that. Let us see what the effect of that amendment will be.

Mr. TAWNEY. The word "other" refers——

Mr. FITZGERALD. I do not think we should make our legislation ungrammatical even to satisfy the gentleman from New York [Mr. MICHAEL E. DRISCOLL], and to serve what he may believe is a good purpose.

Mr. TAWNEY. It says "counterfeiting;" and the other felonies referred to there are against the pay and bounty laws of the United States.

Mr. MICHAEL E. DRISCOLL. Then it would seem to me the idea would be expressed by leaving out the word "other."

Mr. TAWNEY. That language has been carried in the appropriation bills time out of mind, and I do not think we are justified on the floor of this House now in changing it, as it may result in an entirely different construction of the language than has heretofore been made upon it.

Mr. MICHAEL E. DRISCOLL. For the purpose of clearness it ought to be stricken out.

Mr. TAWNEY. Well, I do not agree with the gentleman as to that.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

No part of any money appropriated by this act shall be used in payment of compensation or expenses of any person detailed or transferred from the Secret Service Division of the Treasury Department, or who may at any time during the fiscal year 1912 have been employed by or under said Secret Service Division.

Mr. BENNET of New York. Mr. Chairman, I move to strike out the last word——

The CHAIRMAN. The gentleman from New York moves to strike out the last word——

Mr. BENNET of New York. For the purpose of asking the gentleman from Minnesota if there has been found any difficulty under this limitation, with which he and I are somewhat familiar [laughter], in paying the three persons paid by the appropriation for suppressing counterfeiting and other crimes, and whether he thinks there will be any difficulty in paying the four persons appropriated for this year; and if not, why not?

Mr. TAWNEY. There has not been any difficulty in paying the compensation of the three men detailed, and there will be none hereafter, I may say to the gentleman from New York; and I will say, further, that it is very infrequently that the Secret Service men are called upon by the Secretary of the Treasury. Recently there was a theft in the Treasury Department of a small amount of money, and Secret Service men were detailed temporarily for the purpose of detecting the person or persons who had committed that theft. Then, in the case of the Customs Division of the Treasury Department, there was a temporary detail of Secret Service men there, but there is no permanent necessity for their detail. There has been no difficulty heretofore, and there will be none hereafter.

Mr. BENNET of New York. The Comptroller of the Treasury raised no question?

Mr. TAWNEY. He raised no question.

The Clerk read as follows:

Hereafter the number and compensation of special agents to be appointed by the Secretary of the Treasury under section 2649 of the Revised Statutes of the United States shall be as follows:

Mr. MACON. Mr. Chairman, unless the gentleman in charge of the bill——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. MACON. I was going to say, Mr. Chairman, that I will reserve a point of order on that paragraph unless the gentleman in charge of the bill will agree to wait until we finish reading line 6, on page 83, so that all points of order can be reserved on this language at that time.

Mr. TAWNEY. I consent to that, because it is all embodied in one proposition. I will waive the question of the right to make the point of order.

Mr. STAFFORD. Mr. Chairman, I suggest that unanimous consent be asked that all the paragraphs be considered as one.

Mr. TAWNEY. I ask unanimous consent, Mr. Chairman, that all after line 11, of page 82, down to and including line 6, of page 83, be considered as one paragraph, involving the same thing.

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

The Clerk read as follows:

One supervising agent who shall supervise and direct the special agents of the Treasury Department and who shall receive, in addition to the necessary traveling expenses actually incurred by him, a compensation of $4,500 per annum;

Ten special agents who shall each receive, in addition to the necessary traveling expenses actually incurred by him, a compensation to be fixed by the Secretary of the Treasury, not to exceed $12 per day;

Ten special agents who shall each receive, in addition to the necessary traveling expenses actually incurred by him, a compensation to be fixed by the Secretary of the Treasury, not to exceed $10 per day; and

Ten special agents who shall each receive, in addition to the necessary traveling expenses actually incurred by him, a compensation to be fixed by the Secretary of the Treasury not to exceed $8 per day.

Mr. MACON. Now, Mr. Chairman, I reserve the point of order upon the paragraph just read.

The CHAIRMAN. The gentleman from Arkansas reserves a point of order on the paragraph.

Mr. MICHAEL E. DRISCOLL. Does he reserve it on all that paragraph?

Mr. MACON. Yes. The language is all considered as one paragraph.

Mr. TAWNEY. Mr. Chairman, the effect of this provision is this—and I trust I may have the attention of the committee when I explain the reason for the change in the existing law with respect to this appropriation. At the present time there are 28 special agents. Their minimum salary is $6 a day, and their maximum salary is $8 a day. This provision will increase the number from 28 to 30, and it will increase the compensation of the minimum from $6 to $8, and of the maximum from $8 to $12.

The Members of the House are familiar with the activity of the collector of customs at the Port of New York during the past two years and with the result of his efforts to prevent smuggling and to prevent frauds upon the customs revenues. As he stated when before the committee, the collector would be practically powerless were it not for the corps of efficient special agents that he has, whom it is necessary for him to retain if he is to continue the administration of the law as he has been administering it in the past. For example, he stated to the committee that as the result of the work of the special agents employed at the port of New York alone—

I may mention that since the 1st of last December—

That is, December, 1910; and this statement was made January 21, 1911—

they have uncovered undervaluations which have resulted in importers coming and paying to me, up to the time I left New York, $580,000 in actual cash deposited in the subtreasury. In offers of compromise which are now being adjusted we have in sight $50,000 to $60,000 more, which I will take up when I get back.

Over $600,000 collected as a result of the activity of the special agents who are employed at the port of New York in aid of the collector who is charged with the duty of administering this law.

Mr. BARTLETT of Georgia. That does not include the sugar frauds?

Mr. TAWNEY. No; that does not include the amount collected on account of the sugar frauds, nor does it include another very large and important case, the Duvene case, in which we will probably recover $2,000,000 as a result of the efforts of these special agents.

He goes on in his testimony and calls attention to the fact that some of these men who have been in the service a long time are invaluable. Some of them are good and well-qualified lawyers, who remain in the service because of their love for it. It requires a peculiar character of ability for this service. As Mr. Loeb said to us, a good detective would not make a good special agent and a special agent would not make a good detective. Their work involves judgment, discretion, and diplomacy, and it is only by giving to them the support which the collector there has given to these men that they have been able to unearth frauds that have been committed on the revenues of the Government, and it is only because of their enthusiastic loyalty to the collector that he has been able to make the showing that he has in the matter of the enforcement of the customs revenue laws.

Now, this compensation was fixed away back in 1878 and has not been changed since that time. Let me call attention to a circumstance related to the committee by the collector of customs of New York in respect to one man who was detailed on the Panama hat case. He was first sent to Texas. He went there and moved his family there at his own expense. He was not there very long when the developments in the Panama hat case necessitated his being returned to the Port of New York because of his peculiar ability in investigating matters of this kind. He was therefore ordered back to the city of New York. Again he had to move his family back at his own expense. That man's maximum compensation is $8 a day. In the Panama hat case alone he placed in the Treasury, as a result of his labor and effort, an amount that would pay the salaries of the entire force for a number of years.

In view of the fact that it requires the skill, ability, and judgment, and diplomacy it does, and that these men whom they have now in the service possess the ability, it is the desire of the collector to retain them; and the salaries having been fixed away back in 1878, when conditions as to cost of living and so forth were altogether different than they are now, this collector is very desirous that this change should be made, increasing the number of special agents by two and raising the minimum of their compensation from $6 to $8 and the maximum from $8 to $12 a day. I trust that the gentleman from Arkansas will not insist on the point of order, because I think the service rendered by these men justly entitles them to the compensation asked.

Mr. WEEKS. Are these men all stationed at the Port of New York?

Mr. TAWNEY. No; they are not, but the same questions arise and the same investigations are going on at the Port of Boston as at the Port of New York. At the Port of Philadelphia only recently a special agent discovered, after a great deal of careful work, that frauds were being committed there in the way of undervaluation in the woolen and cotton schedules, and as a result a great deal of money has been turned into the Treasury.

Mr. COX of Indiana. How can these frauds go on if the collector of the port does his duty?

Mr. TAWNEY. The gentleman from Indiana knows that the collector does not make the investigations as to undervaluations and that he could not personally perform that duty. He could not make the appraisement on the imports of merchandise. He must rely upon those officials that the Government furnishes him.

Mr. COX of Indiana. I suppose it depends on the men constituting the organized force.

Mr. TAWNEY. But the work of the special agents in the administration of the customs office is so naturally related that it is impossible for the one to succeed without the efficient service and aid of the other. The undervaluation cases are handled by special agents after the goods are brought into the country.

For example, an investigation was made of the undervaluation on the part of importers of model gowns. There have been great frauds perpetrated by these importers. Three of them, it was discovered, were guilty of undervaluation, and they were arrested. The newspapers announced the next morning that there was a general undervaluation by all importers of model gowns and that the collector intended to make a general raid on all of them. The very next day came into the collector's office *voluntarily* men engaged in the business and confessed that they had been guilty of the violation, and under the law came there and admitted it, and then agreed to settle on whatever basis the collector would permit them within his discretion under the law.

Mr. COX of Indiana. And the gentleman said that that was the work of these special agents?

Mr. TAWNEY. It was the work of the special agents in the three cases. I might mention a great many other cases cited by Collector Loeb.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TAWNEY. Certainly.

Mr. MOORE of Pennsylvania. Will the gentleman indicate how many agents have been at work in Philadelphia?

Mr. TAWNEY. I do not know; there was a Mr. Chance, who has served for a long time and is a very able man.

Mr. MOORE of Pennsylvania. Can the gentleman tell how much has been recovered at the port of Philadelphia?

Mr. TAWNEY. If the gentleman will read Collector Loeb's testimony before the committee he will ascertain; he made a statement there.

Mr. MOORE of Pennsylvania. I am frank to say that I had not heard of the incident which the gentleman refers to, and I wanted to know to what extent special agents were sent to the port of Philadelphia and the port of Boston.

Mr. TAWNEY. In the work done at the port of New York it is not only beneficial to the Government in the amount of revenue collected there, but when a fraud of that kind is discovered in New York the method of committing the fraud is also discovered, and instantly the special agents at all other ports are supplied with the information, and their investigations proceed at other ports along the lines discovered at this port.

Mr. MOORE of Pennsylvania. The gentleman has indicated wool as being a subject for investigation at Philadelphia. I will say that I have not heard of any inquiry of that kind. My information has been that the inspection at the port of Philadelphia was highly creditable to that port, and I am surprised at the information which the gentleman furnishes, and I hope and believe that he is mistaken.

Mr. TAWNEY. I know that a statement of that kind was made by Collector Loeb.

Mr. MOORE of Pennsylvania. I want to say, further——

Mr. TAWNEY. I want the gentleman to understand that I am not criticizing the collector at the port of Philadelphia or any officer there.

Mr. MOORE of Pennsylvania. That was the inference to be drawn from the gentleman's statement.

Mr. TAWNEY. Not at all; I was simply speaking of the value of the services of these men and the benefit that they are to the service.

[The time of Mr. TAWNEY having expired, at the request of Mr. MOORE of Pennsylvania his time was extended five minutes.]

Mr. MOORE of Pennsylvania. I would like to put a question to the gentleman from Minnesota and ask him whether it is not a fact that the proper administration of the law at the customhouses of the country, such as we have recently had at the port of New York, so much to the credit of the present collector, would not help increase the revenues of the country and amply repay all of the expenditures made for inspection?

Mr. TAWNEY. The testimony of Collector Loeb further on is that within the last year the result of the activity of the special agents in the port of New York alone has brought in $11,000,000 revenue collected from importers, where the merchandise imported had already passed into the market.

Mr. MOORE of Pennsylvania. Now, I would like to have the gentleman from Minnesota explain to the House why it is that all the sugar imports that come from foreign countries and pay duty are entered at the port of New York, while the sugar coming from our colonial possessions, which pays no duty, enters at the port of Philadelphia?

Mr. TAWNEY. That is a question I can not answer.

Mr. MOORE of Pennsylvania. It is a very interesting question, and I wish the gentleman would study it.

Mr. TAWNEY. I have no doubt the gentleman has more information on that subject than have I.

Mr. MOORE of Pennsylvania. I have some information, indicating that most of the profitable business goes to the port of New York, while great refineries on the Delaware at Philadelphia are closed.

Mr. BENNET of New York. Does this decrease the number of special agents in any way?

Mr. TAWNEY. It increases the number by two.

Mr. STAFFORD. I understand that under the program recommended by the committee the salaries of 10 of these special agents would be increased $1,200 and 10 increased $600.

Mr. TAWNEY. The increase will be from six to eight, the minimum, and from eight to twelve, the maximum. Now, of course, as a general rule the agent in charge is the man that will probably receive the highest salary. That is, they have one agent in charge. These men are all under that agent in charge, and then the salaries of the others will range from eight to ten, and ten to twelve.

Mr. STAFFORD. Does the gentleman recall any other similar instance where there has been such a wholesale increase of salaries as that provided by this bill whereby you increase in one year the salary from $2,400 to $3,600, making that computation upon 300 working days in the year?

Mr. TAWNEY. Well, I do not recall any specific instance of increase of salaries where the salary was fixed on that basis in 1878, but I think that there are a great many cases where salaries fixed in 1878 have been increased since that time proportionately more than we propose to increase these salaries.

Mr. STAFFORD. I have no objection to a reasonable increase, but a jump from $2,400 to $3,600 seems to me rather inordinate.

Mr. TAWNEY. We must take into consideration the character of the service rendered by these men and the benefit to the Government directly of efficient service, and I do think that if there is any one thing in which the Government of the United States makes a mistake it is in not paying adequate salaries where the service performed results in a direct benefit to the Treasury of the United States.

Mr. YOUNG of New York. Will the gentleman yield?

Mr. TAWNEY. Yes.

Mr. YOUNG of New York. Mr. Chairman, I want to say in this connection that the men who are employed in this service are worth more money than they can ever get from this Congress. I believe that the men employed in this service are worth more than $5,000 a year, and it is the best investment that can possibly be made to retain men of the qualifications of those employed in the special customs service. As has been said by the gentleman from Minnesota, there has been saved to the Government of the United States in the last two years over $11,000,000, largely owing to the magnificent service of the men who are employed and are being paid from $6 to $10 a day. Those men are worth in commercial life $10,000 a year, and I am surprised that the service of such men can be procured by the Government at the salaries that are now being paid them.

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

Mr. TAWNEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAWNEY. Mr. Chairman, I want to call the attention of Members who question the wisdom of this to the services of one man in this service, which resulted in turning into the Treasury of the United States over $3,000,000, and whose service in that one case covered a period of about three years.

Mr. COX of Indiana. When did that occur?

Mr. TAWNEY. It ended last summer and it began about three years before that. His name is Richard Parr, of the city of New York. That man was followed and every member of his family was followed for more than two years by detec-

tives of the Sugar Trust. He was shadowed wherever he went. He was offered $100,000 by the Sugar Trust if he would get out of the service—quit the service.

And as a result of the hounding and shadowing of that man, Dick Parr, when he concluded that service, was practically a physical wreck. That is the kind of men the Government must have; that is the kind of integrity that is required of men in this service and that kind of men and that kind of integrity can not be obtained for a nominal sum. It was Dick Parr who first discovered the method by which the Sugar Trust was defrauding the Government of the United States in the weighing of sugar at the Port of New York. I may also say, Mr. Chairman, that it was Dick Parr who instituted the investigation that has recently led to the disclosure of the frauds perpetrated in the rebates paid on imported molasses, and the aggregate result of that investigation, I am told, will amount to in the neighborhood of $3,000,000.

Mr. COX of Indiana. How much was Parr paid for that work?

Mr. TAWNEY. He was paid at the rate of $8 a day.

Mr. COX of Indiana. Did not he get some bounty from the Government for that?

Mr. TAWNEY. He got just what other men get; what under the seizure he was entitled to.

Mr. COX of Indiana. But how much?

Mr. TAWNEY. Eighty-five—$100,000.

Mr. COX of Indiana. I thought so.

Mr. TAWNEY. But I am talking for the men who are performing this service daily——

Mr. FITZGERALD. And if my colleague will permit me, I want to say there are few of these men who do work which enables them to make these seizures.

Mr. TAWNEY. I was going to say it was only occasionally one of these men has an opportunity to make a seizure. Now, the way Parr became entitled to the money under the law was the fact that as soon as the discovery was made in the weighing of the sugar he seized a cargo which was valued at something over $400,000, if I am not mistaken. He seized that cargo of sugar, and having made that seizure it entitled him to the moiety, or payment in lieu of moiety, under the statutes of the United States. But notwithstanding the fact in doing that he did not know that he would ultimately get an opportunity to seize this cargo or any property, but he kept on working, kept on in his investigations, and during all that time he was hounded by the detectives of the Sugar Trust, offered bribes in order to get him to go out of the service, but he refused and continued his investigations until the end, and it was through his instrumentality, more than through the instrumentality of any other man, that these frauds were discovered and the revenues paid into the Government and many of the perpetrators of the frauds, including the treasurer of the Sugar Trust, punished.

Mr. COX of Indiana. Will the gentleman yield for a question? Is there not a criminal statute that would run against the parties who undertook to bribe him; and if so, was any prosecution brought?

Mr. TAWNEY. I know there was no prosecution, but I do not know——

Mr. COX of Indiana. My recollection is the statute would lie against such a case.

Mr. TAWNEY. I am simply stating the facts, and I hope the Members of the House will appreciate the importance of this service and not make a point of order against this provision.

Mr. MACON. Mr. Chairman, the gentleman in his able and eloquent appeal on behalf of these per diem men has won me over, so far as they are concerned, and I am not going to make the point of order against their increase, but——

Mr. COX of Indiana. If the gentleman withdraws the point of order, I renew it.

Mr. MACON. I have not withdrawn it yet. I propose to make the point of order, however, beginning in line 11, page 82, commencing with the word "hereafter," and on the language found in lines 15, 16, 17, and 18 and ending in 19 on the same page. I make the point of order against that language. I withdraw the point of order on the other.

Mr. COX of Indiana. I make the point of order, Mr. Chairman, to the paragraph on page 82, beginning with line 20 and ending in line 23 and beginning with line 24, bottom of page 82——

Mr. FITZGERALD. It is all one paragraph.

Mr. COX of Indiana (continuing). And ending with the word "day," paragraph 2, page 83.

The CHAIRMAN. The Chair understands the gentleman makes the point of order on the paragraph commencing with line 11, page 82, down to and including line 6, on page 83. Is that correct?

Mr. COX of Indiana. I understood the gentleman from Arkansas made the point of order on the paragraph beginning with line 11 and ending with line 19, on page 82.

Mr. MACON. Mr. Chairman, I only made the point in line 11, on the one word "hereafter," so as to read:

The number and compensation of special agents to be appointed by the Secretary of the Treasury under section 2649 of the Revised Statutes of the United States shall be as follows:

The CHAIRMAN. The gentleman from Indiana makes a point of order on the entire paragraph?

Mr. COX of Indiana. On the entire paragraph, beginning with the word "hereafter," in line 11, and ending with the word "day," on page 83, line 6.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

In all, $1,156,100, which shall include the amount necessary for the medical inspection of aliens, as required by section 17 of the act of Congress approved February 20, 1907.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. On page 42 provision is made for an appropriation of $150,000 for the New York Marine Hospital. This was passed by common consent a little while ago, to be taken up later. I desire at this time to ask the chairman of the committee if the building which it is proposed to construct in New York for the marine hospital is under the direction of the Public Health and Marine-Hospital Service?

Mr. TAWNEY. The construction of the building is under the Treasury Department.

Mr. MOORE of Pennsylvania. Would its management be under the jurisdiction of the Public Health and Marine-Hospital Service, or is there a separate service?

Mr. TAWNEY. That is a building under the jurisdiction of the Treasury Department. The Public Health and Marine-Hospital Service is one of the bureaus of the Treasury Department.

Mr. MOORE of Pennsylvania. And the marine hospital is not under the control of the Treasury Department?

Mr. TAWNEY. In one sense; but the Supervising Architect is custodian.

Mr. MOORE of Pennsylvania. Is there not a separate marine hospital there, under the jurisdiction of the State of New York, apart from the Public Health and Marine-Hospital Service of the United States?

Mr. TAWNEY. No; there is no other officer there that has any control.

The Clerk read as follows:

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, including the excavation and preservation of archeologic remains, under the direction of the Smithsonian Institution, including salaries or compensation of all necessary employees and the purchase of necessary books and periodicals, including payment in advance for subscriptions, $42,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that paragraph.

Mr. DALZELL. If I understand it, this appropriation is the same as it was last year?

Mr. TAWNEY. Yes.

Mr. DALZELL. The estimate was for $54,000, or $12,000 more for certain exploration work out West, as I understand it, and also certain ethnological work in Hawaii and Samoa.

Mr. TAWNEY. Yes. The additional amount was to defray the expense of the additional activities contemplated in the next fiscal year, and that the committee did not see fit to approve. I will say that the estimate was $52,000 for the fiscal year 1911, and they were given $42,000. The language which authorized the increase and scope of their activities was stricken out. We have, however, included in this paragraph language which has not been in any preceding paragraph, but which covers work that the Smithsonian Institution has been doing. There was a question whether they were authorized to do this work, and we incorporated the language expressly authorizing the doing of that which they are now doing. The additional amount was asked for on account of certain work they wanted to do in Hawaii and in Samoa, and I think in one or two of the Middle States, among them the State of Indiana. My colleague on the committee [Mr. SMITH] is more familiar with this matter than I am, and may be able to give the gentleman from Pennsylvania more accurate information on the subject than I can.

Mr. DALZELL. I supposed the language that was put in this bill and in the previous bill was intended to cover the work for which that $12,000 of additional estimate was asked. At the same time, while the language was put in the bill, the $12,000 was not appropriated.

Mr. SMITH of Iowa. We did not put the language in, either; neither the language nor money was put in.

Mr. STAFFORD. I wish to say, Mr. Chairman, that the language in respect to archeology is new, but it is not new work.

Mr. TAWNEY. It is not new work, but new language.

Mr. SMITH of Iowa. They proposed to extend this work to Samoa and to other places, and we refused to permit them to do so. Now, personally, I did not believe they were doing this work of the preservation of archeological remains, and I did not believe it was authorized by statute, and it was only put in in order to legalize in the future what they were doing under the present appropriation.

Mr. DALZELL. The language was put in but the appropriation was left out?

Mr. SMITH of Iowa. The gentleman is mistaken. The language that was thought to be put in was to extend this work to Samoa, and we refused to increase the work over anything they are doing now. But we did put in the language to cover what they are now doing. We refused to increase the appropriation for that work over what they are doing now, but we did put in new language simply sufficient to cover what they are now doing.

Mr. DALZELL. In order to legalize what they are now doing?

Mr. SMITH of Iowa. Yes. I did not believe they were entitled under the former language to repair archeological ruins.

Mr. STAFFORD. Mr. Chairman, as the new language is simply to cover work which the institution has been engaged upon heretofore, I withdraw the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order.

The Clerk read as follows:

Astrophysical Observatory: For maintenance of Astrophysical Observatory, under the direction of the Smithsonian Institution, including salaries of assistants, the purchase of necessary books and periodicals, including payment in advance for subscriptions, apparatus, making necessary observations in high altitudes or in Mexico, repairs and alterations of buildings, and miscellaneous expenses, $18,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. My purpose is to ascertain from the chairman of the committee the purpose of the new language, extending this work to Mexico.

Mr. TAWNEY. Well, I do not know that I can explain it, except to say that it is to enable the gentleman in charge of the Astrophysical Observatory to conduct scientific investigations in a more authoritative or more accurate and more scientific manner than he and his assistants are able to conduct them now. It is on account of certain currents of air which they want to investigate, both in Mexico at the point contemplated as well as in other parts of the United States.

Mr. SMITH of Iowa. I will add to that, if the gentleman from Minnesota will permit me. As the gentleman from Wisconsin knows, the Astrophysical Observatory is engaged chiefly in studying the sun and the sun's rays, and it becomes desirable to make observations at different places and at different altitudes in order to discover accurately what are really changes in the rays of the sun and what changes in the atmosphere produce effects appearing to be changes in the rays of the sun.

Mr. STAFFORD. Why should this favoritism be limited to Mexico?

Mr. TAWNEY. They have in this country two stations, one on Mount Whitney and one on Mount Wilson, where they have been engaged in this work, and it is believed that by means of some temporary observations made on one of the mountains in Mexico they can make certain whether these manifestations are sun manifestations or whether in a measure they have been influenced by the air or the conditions of the earth's atmosphere.

Mr. STAFFORD. I assume that work of this character is being performed by our institutions of learning in other countries, and——

Mr. SMITH of Iowa. No; the gentleman is in error on that point. This particular work is being conducted chiefly, or I might say exclusively, in this institution, although other institutions elsewhere are making studies along a similar line, but not exactly the same.

Mr. STAFFORD. I think Harvard University is making some investigations outside of this country along that line.

Mr. SMITH of Iowa. This is an investigation of the sun and its rays.

Mr. TAWNEY. Mr. C. G. Abbott, the director of the Astrophysical Observatory, said to us when he appeared before us at the hearings conducted by our committee:

The work we are doing has not been duplicated anywhere. They are just coming to the point of following us in carrying on such work as this is. The Weather Bureau has established quite a number of pyrheliometers in the United States in the last year, and it has used as the standard of those instruments instruments which were furnished them by the Astrophysical Observatory.

Mr. STAFFORD. Will the gentleman, who has for years been very strict in insisting that the Government shall not enter into the realm of private enterprises, and shall not do the work of private institutions of learning, be kind enough to explain wherein this is a proper governmental function? If we undertake this outside investigation, why should we not then duplicate or parallel the work of Harvard University and other scientific institutions which have branch observatories in other countries?

Mr. SMITH of Iowa. They have not branches for the prosecution of astrophysical study in other countries.

Mr. STAFFORD. They have, to my knowledge, branch institutions elsewhere than in this country for astronomical research.

Mr. SMITH of Iowa. This is a part of the ultimate solution of the question as to whether weather forecasts can be made far into the future.

Mr. STAFFORD. I do not question but that the Government could investigate many subjects in the realms of science if we gave it authorization. I make the point of order, Mr. Chairman, on the words "in Mexico."

Mr. TAWNEY. Mr. Chairman, I want to say that this is a public work that is being carried on under the authority of law, and there is no limitation as to the territory in which this investigation shall be conducted.

I do not think that the words "in Mexico" are subject to a point of order.

The CHAIRMAN. Is the gentleman from Minnesota able to cite any statute which authorizes these investigations in Mexico?

Mr. TAWNEY. There is no statutory authorization other than the appropriation originally made, which has been continued year after year for this service, and the work is going on. It is a public work in progress. They have an observatory here, as the Chair well knows, being one of the regents of this institution.

Mr. CRUMPACKER. Have they one in Mexico?

Mr. SMITH of Iowa. They want to take certain observations in Mexico.

Mr. TAWNEY. This is merely to enable them to take certain observations in Mexico on this mountain. I read from the hearings:

Mr. ABBOT. Mr. Chairman, I told the committee at the meeting a year ago that I had made an expedition to the summit of Mount Whitney. We were unfortunate in 1909 in having only one day which was suitable for the observations. The remainder of the time after the apparatus was adjusted was either cloudy or snowy. Accordingly we repeated this expedition in 1910, and I was fortunate in having two weeks of good weather on the summit of Mount Whitney, which is the highest mountain in the United States. I carried on there complete measurements, which were simultaneous with those carried on at Mount Wilson. We have now reduced the observations made both at Mount Wilson and Mount Whitney, and we have found that the results obtained at Mount Whitney check and substantiate completely the work we were doing on Mount Wilson. Therefore, having established a standard scale of measurement and having shown that we get the same results, whether we make the observation at the sea level at Washington, at Mount Wilson (1 mile elevation), or at Mount Whitney (3 miles elevation), we are now able to state the value of the solar constant of radiation. This value is of an importance equal to that of the distance of the sun in astronomical work, but it was unknown at the time we began this work within limits of two or three fold, so that statements were in the books ranging from 1.75 calories to 3 calories. Our work now of this year has established the value of that constant within 1 per cent.

Now, for the purpose of making this observation, to check it up, at a higher altitude in Mexico than can be reached in the United States, in order to check up the results of the investigations made on Mount Whitney and Mount Wilson, the words "in Mexico" are here inserted.

Mr. DALZELL. I think the words "in Mexico" are a limitation.

The CHAIRMAN. The Chair undertands that the gentleman from Wisconsin [Mr. STAFFORD] makes a point of order against the words "in Mexico." Is that correct?

Mr. STAFFORD. That is correct.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

National Zoological Park: For continuing the construction of roads, walks, bridges, water supply, sewerage, and drainage; and for grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals; including salaries or compensation of all necessary employees; and general incidental expenses not otherwise provided for, including purchase, maintenance, and driving of horses and vehicles required for official purposes, and not exceeding $100 for the purchase of necessary books and periodicals, including payment in advance for subscriptions, $100,000; one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. DALZELL. I move to strike out the last word. I see that the total appropriation for the Zoological Park is $100,000. The estimates covered an item for buildings, for an aviary, and also for the readjustment of boundaries. Both those items were stricken out by the committee, were they not?

Mr. TAWNEY. They were. One involved the purchase of additional land on the west and on the south. The other item was for a bird cage, and the committee thought they could get along very well with the one they now have for another year.

The proposition to buy this land is one that has been before us a number of times, and the committee were not willing to appropriate the amount that is necessary in the judgment of the superintendent of the park for the purchase of this land, either by voluntary purchase or by condemnation.

Mr. DALZELL. That was $40,000?

Mr. TAWNEY. Yes.

The Clerk read as follows:

The President of the United States, from and after the passage of this act, is authorized to designate from time to time any member of the Interstate Commerce Commission or of the Court of Commerce to exercise the powers conferred and the duties imposed upon the chairman of the Interstate Commerce Commission by the provisions of the "act concerning carriers engaged in interstate commerce and their employees," approved June 1, 1898; and the member so designated, during the period for which he is designated, shall have the powers now conferred by said act on the chairman of the Interstate Commerce Commission.

Mr. BARTLETT of Georgia. Mr. Chairman, I reserve a point of order on that provision for the purpose of obtaining certain information about it. This is new legislation. I am not disposed to make a point of order if I can find out about it.

Mr. TAWNEY. It is legislation.

Mr. BARTLETT of Georgia. Does the gentleman think it is necessary and proper?

Mr. TAWNEY. I made a statement this forenoon in which I explained why this legislation is necessary.

Mr. BARTLETT of Georgia. I am very sorry that I did not hear the gentleman.

Mr. TAWNEY. The Erdman Act, so called, is mandatory as to who shall constitute the commission.

Mr. BARTLETT of Georgia. Yes.

Mr. TAWNEY. The chairman of the Interstate Commerce Commission——

Mr. BARTLETT of Georgia. And the Commissioner of Labor.

Mr. TAWNEY. Now, the gentleman knows that the former chairman of the Interstate Commerce Commission has been appointed one of the justices of the Commerce Court. He can no longer serve in the capacity of arbitrator under the Erdman Act.

Yet, in view of his long experience in that service, in view of his intimate and favorable acquaintance among the representatives of labor organizations and also the employers of labor, it was by his associate commissioner deemed of the utmost importance that this legislation should be enacted, so that his services might be availed of as an arbitrator in the future, as heretofore, in the event the President of the United States deemed it advisable and necessary.

Mr. BARTLETT of Georgia. Mr. Chairman, I realize the propriety and importance of having the President of the United States designate someone to act as chairman of the Interstate Commerce Commission when the chairman is absent, but I do not think it wise to transfer that power to the Commerce Court. By the way, the gentleman must amend this bill, I think, because he calls it the Court of Commerce in this bill. I am familiar with the services that Mr. Knapp has rendered in these controversies, but he has been appointed as a member of the Commerce Court. I do not know whether he will be chairman of that court or not.

Mr. TAWNEY. I was under a misapprehension if he is not.

Mr. BARTLETT of Georgia. At any rate, I am not willing, on the reasons given by the gentleman from Minnesota, to consent to this legislation, which transfers a member of the Commerce Court who is not a permanent occupant of the bench of the Court of Commerce, because the provisions are that the members shall only occupy their positions for a certain length of time and then shall become members of the judiciary of the United States. I say I am not willing that that legislation should include judges of that court.

Mr. TAWNEY. I think the gentleman misunderstood me, or I misstated the fact. This is to enable the President of the United States to avail himself of the services of the former chairman of the Interstate Commerce Commission. Now, it will not only apply to Mr. Knapp as a member of the Commerce Court, but if he goes back as the judge of the circuit court it would apply. It is to enable the President to utilize the services of a man who has by reason of his experience obtained a relation to the men that must be dealt with that a new man has not obtained.

Mr. BARTLETT of Georgia. How is the President to obtain his services after his term has expired as a member of the Commerce Court?

Mr. TAWNEY. If the gentleman will read the language——

Mr. BARTLETT of Georgia. It says that—

He may designate from time to time any member of the Interstate Commerce Commission and of the Commerce Court.

Now, Judge Knapp at the expiration of a certain time will cease to be a member of the Commerce Court and can no longer be designated under this law to carry out that act, because the acts creating the Commerce Court provide that he shall be a member of the Commerce Court only for a certain length of time.

Mr. TAWNEY. We are only dealing with the immediate present.

Mr. BARTLETT of Georgia. But you are making permanent law.

Mr. TAWNEY. It is hoped by that time that the man who succeeds him may have become familiar with the duties sufficient to qualify him in the case.

Mr. BARTLETT of Georgia. Mr. Chairman, I do not want to make a point of order captiously, because I never do so. I do not think that this legislation would be wise, and take the circuit judge, for that is what he is, an additional circuit judge, who is a member of the Commerce Court, and say that he can designate any member of that court for this work. The Interstate Commerce Commission, or the commissioners, are the ones to deal with this matter, and if the gentleman will confine his provision to any member of the Interstate Commerce Commission, I shall have no objections. I am willing to give the President authority to select any member of the Interstate Commerce Commission he sees fit to do.

Mr. TAWNEY. I do not wish to accept the amendment offered by the gentleman from Georgia, because that defeats the whole purpose. I think the gentleman from Georgia fails to appreciate the importance of the negotiations that are carried on the Erdman Act.

Mr. BARTLETT of Georgia. I do not.

Mr. TAWNEY. Then the gentleman would not insist on putting an inexperienced man in the position of conducting these negotiations. If the gentleman will pardon me, it is only recently that the services of these two men, in negotiations carried on between many thousands of railroad employees and employers in the city of Chicago, resulted in averting what was soon to become one of the most serious strikes for many years.

It was only by reason of the tact, the peculiar qualifications, of the men in charge of the negotiations that that strike was settled, and I hope the gentleman from Georgia will accept the judgment of the Interstate Commerce Commission itself as well as the President and the members of the Commerce Court.

Mr. BARTLETT of Georgia. Mr. Chairman, I appreciate the importance of the service rendered by a member of the Interstate Commerce Commission, its chairman, and of the Commissioner of the Bureau of Labor. I do not, however, appreciate the suggestion that there is no one else whom the President can appoint to the Interstate Commerce Commission—no other man in the United States who can fill the position that Judge Knapp formerly occupied upon the Interstate Commerce Commission. I believe there are men now upon that commission—I believe if a vacancy occurs the President can find a man to appoint upon the Interstate Commerce Commission who will discharge the duties efficiently and satisfactorily to the parties who may be at controversy, although I have not a word of criticism—far from it—and only words of commendation for the services rendered by Judge Knapp.

If Judge Knapp was so indispensable to the country in the services which he rendered as chairman of the Interstate Commerce Commission, why did not the President keep him there and not appoint him to the Commerce Court? If you set an example of this kind, where a man is appointed to fill some public position, is later transferred to some other position, and then feel you must change the law so that he may be able to carry out the law that he carried out on that other particular tribunal, then you will have a rule of men and not a rule of law. I will not accept with approval the suggestion that there is no one else in the United States, and no one else can be found either now or in the near future, who can discharge the duties formerly discharged by that gentleman.

Mr. ESCH. Would the gentleman find an additional objection to this provision in this fact, that acting as arbitrator he might subsequently, as a member of the Commerce Court, be required to adjudicate upon his own findings?

Mr. BARTLETT of Georgia. Mr. Chairman, I thank the gentleman for the suggestion. That was one of the reasons which I was going to give. He is a circuit judge, and he might at times be called upon to decide the very questions which were at issue which he settled as arbitrator, and I do not think that we ought to complicate the law in that way, nor do I think that we ought to enact this provision into law.

Mr. Chairman, I therefore make the point of order upon the words "or Court of Commerce," occurring in line 3.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with acts to promote the safety of employees and travelers upon railroads, including the employment of inspectors, $150,000.

Mr. ESCH. Mr. Chairman, I notice this provision is very materially different from the corresponding provision in the sundry civil act of last year. In that act of last year there was specified the various laws for which an appropriation was to be made. Does the gentleman believe that the addition of $25,000 in this item will be sufficient to carry out the new laws enacted just before the last sundry civil bill became effective?

Mr. TAWNEY. What page is that?

Mr. ESCH. Page 91, the middle paragraph. These acts are the original safety appliance acts——

Mr. TAWNEY. I will say to the gentleman that the reason we dropped all those titles was because it is unnecessary to carry them and keep continually reprinting them in the law, so we made them all broad enough to authorize the expenditure of all the sum in the enforcement of all these safety appliance laws. That is the reason we did it.

Mr. ESCH. Does the gentleman think that the language used is sufficient to include the law of May 6, 1910?

Mr. TAWNEY. Yes; I do.

Mr. ESCH. Does the gentleman think an appropriation of $25,000 is sufficient to carry out that law?

Mr. TAWNEY. Yes.

Mr. ESCH. I notice in the hearings that Judge Clements testified it would not be necessary, for the present at least, to establish a new force to make investigations of important railroad accidents; that he thought he might detail some experts he now has in the office. Does the gentleman think the experts now employed to carry out the safety-appliance law, the standardization act, and so forth, would have the necessary knowledge, experience, and skill to investigate an important railroad wreck?

Mr. TAWNEY. I certainly do, Mr. Chairman, and I can not think that the gentleman from Wisconsin can doubt their ability to make such investigations, knowing, as we both do, the character and the ability of the men who are employed in that investigation of safety appliances. I am satisfied that the men who are qualified to make the investigation of mechanical devices that are now employed on trains and on engines for the safety of employees and the traveling public are sufficiently intelligent and qualified to investigate and inquire into the causes of any railroad accident. They are peculiarly qualified for it, in my judgment, because of their experience in the investigation of those things that are required now by law to protect the public and the employees from injury on account of railroad accidents.

Mr. ESCH. Mr. Chairman, I do not question the competence of these inspectors to administer the safety appliance acts as to car equipment, but it does seem to me we would have to have a higher order of skill and knowledge in order to make the necessary investigation and report upon the accidents that would carry weight with Congress.

Mr. TAWNEY. Mr. Chairman, in reply to that I want to say that if the gentleman can point out any class of railroad employees from the president down to a brakeman, who by reason of his experience and his knowledge in railroading is better qualified than the men now employed for the inspection of safety appliances, I do not know who they would be unless it would be the chief of the motive power and machinery of railroads, because in average intelligence these men are equal to any other class of employees who are employed by railroad companies in the operation of railroads. I do not think it is wise for us to duplicate service. I think the commission is entirely right in requiring the experts that they now have employed in the inspection of safety appliances to make these investigations and report on the causes of railroad accidents. I do not know to what branch of railroad service the commission could go to find men who are more fitted by reason of their experience and knowledge of railroading, railroad operation, and railroad appliances, than the men who have been selected from all over the United States, from among the active railroad operatives, to test or investigate safety appliances.

Mr. ESCH. I should expect the Government to confine its selection in these investigations to men who are experienced in railroad matters, but the inspectors who now have to investigate mere car equipment, safety appliances, and so forth, are not paid the amount of money which would enable the Government to get the best possible talent, that talent which is necessary to make this accident law most effective.

The Clerk read as follows:

That the jurisdiction of the Interstate Commerce Commission to extend the period within which any common carrier shall comply with the provisions of section 3 of the act entitled "An act to supplement 'An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes,' and other safety-appliance acts, and for other purposes," approved April 14, 1910, shall apply to cars actually placed in service between the date of the passage of said act and the 1st day of July, 1911, in the same manner and to the same extent that it applies to cars actually in service upon the date of the passage of said act.

Mr. CRUMPACKER. Mr. Chairman, I reserve the point of order against that paragraph in order to get an explanation of it.

Mr. TAWNEY. Mr. Chairman, I would ask the chairman of the Committee on Interstate and Foreign Commerce, who is more familiar with the provision and at whose suggestion this was incorporated, to explain the necessity for this legislation.

Mr. BOUTELL took the chair.

Mr. MANN. Mr. Chairman, at the last session of Congress we passed a law in reference to uniformity of safety appliances upon railroad cars, and so forth. That law provided the Interstate Commerce Commission might fix the appliances and provide for the uniformity, and might extend the time as to compliance on cars that were in operation at the time of the passage of the act. In other words, that as to the cars which were in service on the date of the passage of the act the commission might extend the time within which those cars should be made to comply with the uniform regulation.

There has been considerable work done between the railroads and the railroad employees in connection with an agreement among themselves, which was submitted to the Interstate Commerce Commission providing for uniform appliances. It has not yet been settled, and the Interstate Commerce Commission has issued an order fixing the appliances which shall be put upon cars after July 1 next. Of course, that would apply to cars that went into service between the date of the passage of the act and July 1.

The commission has not authority under the existing law to extend time for fixing those cars that went into service after the date of the passage of the act. This was inserted at the request of the Interstate Commerce Commission at the request of the railroads and at the request of the railroad employees.

Mr. CRUMPACKER. That explanation is entirely satisfactory, and I see the purpose of the paragraph, and therefore withdraw the point of order.

The Clerk read as follows:

Repairing roadways to national cemeteries: For repairs to roadways to national cemeteries which have been constructed by special authority of Congress, $12,000: *Provided*, That no railroad shall be permitted upon the right of way which may have been acquired by the United States to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Hereafter no part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

Mr. CANDLER. Mr. Chairman, I move to amend that paragraph, in line 17, page 98, after the word "owned," by inserting "or controlled," so that it will read:

Provided further, That no part of this sum shall be used for repairing any roadway not owned or controlled by the United States within the corporate limits of any city, town, or village.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] offers an amendment, which the Clerk will report:

The Clerk read as follows:

Page 98, line 17, after the word "owned," insert "or controlled."

Mr. SMITH of Iowa. Mr. Chairman, to that I make a point of order that it changes existing law. The existing law is that no appropriation shall, except as otherwise authorized, be used in any work of improvement except upon land belonging to the United States, and this changes the general fundamental law of public improvement.

Mr. CANDLER. Now, then, if the gentleman from Iowa will hear me just a moment, I take it for granted that out of the kindness of his heart and great generosity he will withdraw his point of order——

Mr. SMITH of Iowa. I reserve the point of order.

Mr. CANDLER (continuing). In order that justice may be done.

While, Mr. Chairman, I will not concede the point of order, I want to reason with my good friend just a moment.

In the city in which I live—Corinth, Miss.—there is a national cemetery, which is within the corporate limits of the city of Corinth. The whole roadway, which leads from the national cemetery to the center of the town, is also, of course, necessarily within the corporate limits of the city. When that roadway was constructed several years ago the city of Corinth deeded to the United States the streets over which it passes. The part of the roadway outside of the corporate limits of the city—and there was a part of it outside of the corporate limits at that time, the corporate limits having been extended since—was deeded by the owner of the land, Mrs. M. A. Mitchell, over which the road passed at that time for the construction of this roadway. In the two deeds there was a condition placed which provided that the roadway should be kept open for passage. In view of the fact that the city was giving up certain streets within the corporate limits of the city of Corinth to the Government and the owner of the land outside of the corporate limits at that time was conveying that part of the right of way to the United States Government to construct a roadway to reach the national cemetery, they had a right to and did place in the deeds the above-mentioned conditions.

At the last session of Congress I offered an amendment which put into the law the words "owned by the United States." Prior to that time the provision was that no money should be used for the roadway or roads leading to the national cemeteries which were within corporate limits of a city or town. I believed at that time that the amendment which I offered would cover the condition which existed. This condition exists not only in my own town, but also in other cities and towns in the United States. But the department has held, I am informed, that in view of the condition in these deeds providing that the roadway should be kept open for passage to the public, that it is not a fee-simple title, and that the Government does not in the full sense own the road, and, therefore, they have held that the part of the roadway within the corporate limits could not be improved under this provision. Now, then, the Government refuses to improve the road and refuses to permit the city to improve it, and there we stand, up in the air, not being permitted to improve it ourselves and with the Government refusing to improve it.

Mr. SMITH of Iowa. I always like to be gracious, and if the gentleman will offer an amendment ceding the right to the city, I will cheerfully waive the point of order.

Mr. CANDLER. Let me, then, to meet the objection of the gentleman, state further that the Legislature of the State of Mississippi passed an act authorizing the city of Corinth to convey to the Government of the United States these streets over which the road passes; and the city did convey them, and hence I am in no position to offer the amendment which he suggests, but I insist, as the Government owns the streets and controls them, it should keep them in repair.

Mr. SMITH of Iowa. We could very readily obtain gifts of all the streets and avenues in all the cities of the United States if we would guarantee to pave them. They are very generous about that. [Laughter.]

Mr. CANDLER. I do not question that, but our city is not trying to have the United States take care of all its streets.

Mr. SMITH of Iowa. They are the streets of the gentleman's city.

Mr. CANDLER. They are, in one sense of the word; but they are streets which have been conveyed by the city of Corinth by legislative enactment to the United States.

Mr. SMITH of Iowa. Who authorized the Government of the United States to accept them?

Mr. CANDLER. The Government accepted those streets, but refused to improve them until the legislature made this act of cession. I have right here the deed from the city of Corinth, conveying the streets to the Government of the United States.

Mr. SMITH of Iowa. What conceivable act of Congress, may I ask the gentleman, ever authorized the streets of his city of Corinth to be dumped on the Government of the United States? [Laughter.]

Mr. CANDLER. The Legislature of the sovereign State of Mississippi authorized the city to convey them to the United States, and the United States accepted them by taking possession of them and building the road thereon. Do you want to have the United States Government act the part of "dog in the manger" and refuse not only to improve those streets itself, but also refuse to let us improve them? [Applause.]

Mr. SMITH of Iowa. I have already told the gentleman that if he will offer an amendment ceding the streets back again to the city of Corinth, I will move its adoption immediately and speak in behalf of it. [Laughter.] I do not think the Congress of the United States should grant money from the Federal Treasury to improve the streets of the city of the gentleman, and I think the Government ought not to take the streets.

Mr. CANDLER. Does the gentleman believe that the Government of the United States should improve the streets that belong to the United States?

Mr. SMITH of Iowa. I do not believe it should improve many of them.

Mr. CANDLER. This Government is too great and too generous to take streets from the city of Corinth and then refuse to the city of Corinth the right to improve them and refuse to improve them itself, or to attempt to drive us off the streets and then say to us that it will permit the Government streets to go to wreck and ruin without improvement. [Applause.]

Mr. SMITH of Iowa. I should say that the Representatives of the State of Mississippi, and particularly the Representative from the city of Corinth, are too smart to be imposed upon in that way.

Mr. CANDLER. The Government has made some bad trades, according to the judgment of the gentleman, but I do not think it has made a bad trade in this instance. I think the roadway owned by the Government in the city of Corinth is not only an honor to the city, but also an honor to the Government itself. [Applause.]

Mr. SMITH of Iowa. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CANDLER. Mr. Chairman, I ask that I may be permitted to extend by remarks in the RECORD in order to include the deeds I have in my hand showing that the Government of the United States does own these streets.

Mr. SMITH of Iowa. I have no objection, Mr. Chairman, to the gentleman extending his remarks and putting the deeds in the RECORD, provided that does not establish or imply acceptance on the part of the United States. [Laughter.]

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD. Is there objection? The Chair hears none. Without objection, it will be done.

The deeds are as follows:

M. A. MITCHELL—DEED TO THE UNITED STATES.

In consideration of $1 and the benefits likely to accrue to me, I convey to the United States of America to be used as a right of way on which to construct and maintain a macadamized or gravel road, the land described as follows:

A strip of land 66 feet wide and 760 feet long, to extend from the point where Meigs Street intersects the corporation line on the east boundary of the city of Corinth, County of Alcorn, State of Mississippi, to the northwest corner of the United States national cemetery situated near said city, said 66 feet in width to be 33 feet on the north side and 33 feet on the south side of said line running from the center of Meigs Street N. 82° E. to the northwest corner of said cemetery. Also sufficient land on the north, west, and south sides of said cemetery and parallel thereto to make, added to the land already owned by the United States on each of said sides, a strip of land 66 feet wide on the outside of the wall inclosing said cemetery, all the land herein conveyed being situated in and a part of the NE. ¼ sec. 12, T. 2, R. 7 E., in Alcorn County, State of Mississippi.

This deed is made, executed, and delivered on condition that the land herein above described and conveyed is to be used as a right of way on which to construct and maintain a macadamized or gravel road.

Witness my signature this the 15th day of October, A. D. 1888.

M. A. MITCHELL.

STATE OF MISSISSIPPI, *County of Alcorn:*

This day personally appeared before me R. P. Barnhill, clerk of the circuit court of Alcorn County, State of Mississippi, the withinnamed M. A. Mitchell, who acknowledged that she signed and delivered the foregoing instrument on the day and year herein mentioned.

Given under my hand and official seal this 15th day of October, 1888.

R. P. BARNHILL,
Clerk of the Circuit Court, Alcorn County, Miss.

STATE OF MISSISSIPPI, *Alcorn County:*

I, F. P. Morrison, clerk of the chancery court of said county, certify that the foregoing instrument was filed for record here on the 16th day of October, 1888, and has been duly recorded in deed book 12, page 490.

Given under my hand and seal this the 16th day of October, 1888.

F. P. MORRISON,
Clerk of the Chancery Court for Alcorn County, Miss.

STATE OF MISSISSIPPI, *County of Alcorn:*

I, O. M. Hinton, clerk of the chancery court in and for said county and State, certify that the foregoing instrument is a full, complete, and perfect copy of the deed from M. A. Mitchell to the United States of America, as shown of record in my office in deed book No. 12, on pages 490 and 491, of records of deeds of said county.

Given under my hand and official seal this the 2d day of February, A. D. 1911.

O. M. HINTON,
Clerk of Chancery Court, Alcorn County, Miss.

CITY OF CORINTH DEED TO THE UNITED STATES OF AMERICA.

By virtue of authority and power conferred upon me as the mayor of the city of Corinth, by ordinance and resolution passed by the city council of the city of Corinth, composed of the mayor and aldermen of the city of Corinth, on the 7th day of January, A. D. 1889, and in

consideration of the benefits likely to accrue to the city of Corinth, I, as mayor of the city of Corinth, hereby convey and quitclaim to the United States of America all the title, right, and interest of the city of Corinth to the following portions of streets, to wit: That portion of Filmore Street from the point from where said street crosses the Memphis & Charleston Railway extending south to Wick Street; thence that portion of Wick Street extending east from Filmore Street to Penn street; thence that portion of Penn Street extending south from Wick Street to Meegs Street; thence that portion of Meegs Street extending east from Penn Street to the corporation line of the city of Corinth, Alcorn County, Miss., to be by said United States of America used as a right of way on which to construct a macadamized or gravel road; said right of way being granted subject to any rights which have formerly been granted to cross any of said streets, and this deed is made, executed, and delivered on condition that no part of said road within the corporation of the city of Corinth shall be fenced, but that said road when constructed shall be kept open to the public and the public be permitted to use it as a public highway and to cross at any place where a street shall cross the same.

Witness my signature the 7th day of January, A. D. 1889.

S. M. SANDERS,
Mayor of the City of Corinth, in Alcorn County, Miss.

Attest:
T. E. HENRY,
Clerk of the City of Corinth, in Alcorn County, Miss.

STATE OF MISSISSIPPI, *Alcorn County:*

Personally appeared before me, F. P. Morrison, clerk of the chancery court of said county, the within-named S. L. Sanders, mayor, etc., of the city of Corinth, who acknowledges that he signed and delivered the foregoing instrument on the year therein mentioned as his act and deed.

Given under my hand and seal this the 11th day of January, 1889.

F. P. MORRISON,
Chancery Clerk for Alcorn County, Miss.

Filed for record this January 11, 1889, A. D., at 1 o'clock p. m., and truly recorded in deed book No. 12, page 560, this the 15th day of January, 1889.

F. P. MORRISON, *Clerk.*

STATE OF MISSISSIPPI, *Alcorn County:*

I, O. M. Hinton, clerk of the chancery court in and for said county and State, certify that the foregoing instrument is a full, complete, and perfect copy of the deed from the city of Corinth to the United States of America as appears of record in my office in deed book 12, pages 560 and 561, of records of deeds of said county.

Given under my hand and official seal this the 2d February, 1911.

[SEAL.] O. M. HINTON,
Clerk of Chancery Court, Alcorn County, Miss.

The Clerk read as follows:

Hereafter no part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

Mr. THISTLEWOOD. Mr. Chairman, I raise a point of order against that paragraph, commencing on line 19 and including line 22, on page 98.

Mr. SMITH of Iowa. Mr. Chairman, I shall insist, contrary to the Chairman's first impression, that it is not subject to a point of order. I wish to be heard upon it, because I know the impression of the Chairman is apt to be in the gentleman's favor.

The CHAIRMAN. The Chair will hear first the ground for the point of order made by the gentleman from Illinois [Mr. THISTLEWOOD].

Mr. THISTLEWOOD. The point I make, Mr. Chairman, is that this is general legislation. It not only seeks to control this appropriation, but any appropriation that may follow. I will read it. It says—

Hereafter no part of any appropriation—

Mark the word "hereafter"—

for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

Of course, it is new legislation and general legislation.

Mr. SMITH of Iowa. Mr. Chairman, in order that this point of order may be understood I deem it my duty to call the attention of the Chair to the fact that in the last sundry civil bill exactly this language was carried, except that the word "hereafter" was not in it. That is, it read:

No part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

That is, no part of any appropriation heretofore or hereafter made.

Mr. THISTLEWOOD. It did not have the word "hereafter" in it.

Mr. SMITH of Iowa. But the gentleman from Illinois succeeded in getting a ruling from the Attorney General that, notwithstanding this language was that no part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery, yet that that was only a limitation upon the appropriation of that year. With all possible respect for the Attorney General, I dissent from his opinion as to the proper construction of the language of last year. I submit that if his construction is correct, that it was simply a limitation upon the annual appropriation, when it applied to any appropriation, either heretofore or hereafter made, then, certainly, this language, being limited only to appropriations hereafter made, is also only a limitation.

The CHAIRMAN. Will the gentleman from Iowa inform the Chair, if his contention is correct and this legislation is in the last sundry civil appropriation act, why it is necessary to reenact it with the word "hereafter" inserted?

Mr. SMITH of Iowa. I have just explained to the Chair that the gentleman from Illinois [Mr. THISTLEWOOD], notwithstanding the language was plain and unambiguous, as I think, succeeded in getting a ruling from the Attorney General of the United States, advising the Treasury Department that such language was only a limitation upon the annual appropriation, and therefore it became necessary to reenact it.

Mr. FOSTER of Illinois. Then you want to make permanent law out of it this time?

Mr. SMITH of Iowa. I am using more narrow language than before, because the words of the act of last year referred to appropriations heretofore and hereafter made, and now we only refer to hereafter.

Mr. FOSTER of Illinois. Did you not find that the law of last year was no good?

Mr. SMITH of Iowa. No; it was perfectly good, but it did not go as far as I thought it went.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SMITH of Iowa. Then I offer the same language with the word "hereafter" stricken out, and that language has been construed by the ruling of the Attorney General to be simply a limitation. I understand it has been repeatedly held by the Chair that the construction of administrative statutes by the Department of Justice will be followed by the Chair, because that is the way the laws are being executed.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 98, after line 18, insert the following:

"No part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery."

Mr. THISTLEWOOD. I make a point of order against that, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois makes a point of order. The Chair would ask the gentleman in charge of the bill if he has the exact language of the last act and the opinion of the Attorney General upon it?

Mr. SMITH of Iowa. I am not in possession at this time of the opinion of the Attorney General, but the gentleman from Illinois [Mr. THISTLEWOOD] will confess that the Attorney General has so construed the law, and the gentleman from Illinois is very proud of that fact.

Mr. THISTLEWOOD. I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws his point of order. The question is on agreeing to the amendment.

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

Mr. FOSTER of Illinois. I suggest that we get the opinion of the Attorney General and clear up this matter.

Mr. SMITH of Iowa. It will not clear it up.

The CHAIRMAN. The Chair has examined the opinion of the Attorney General, and in view of that decision will overrule the point of order, and ask that the opinion of the Attorney General be inserted in the RECORD in connection with the decision of the Chair. Is there objection?

There was no objection.

The opinion of the Attorney General is as follows:

MOUND CITY NATIONAL CEMETERY—ABANDONMENT OF ROADS LEADING THERETO.

DEPARTMENT OF JUSTICE,
November 21, 1910.

SIR: I have considered your letter of October 10, 1910, with its accompanying papers, in which you ask my opinion whether Congress has indicated an intention to abandon two of the three roads approaching the Mound City National Cemetery, near Cairo, Ill., by the following proviso of the sundry civil act of June 25, 1910 (36 Stat., 723):

"No part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery."

I am of opinion that this proviso does not indicate such an intention. Of course, the proviso is not expressly an abandonment of any roads, and the only question is whether it is impliedly so.

As I view the subject, it is unnecessary to consider whether a final and irrevocable abandonment of a roadway would be brought about by an act of Congress providing generally that no appropriation should be used in the future for its maintenance, for in this case I think the proviso quoted is intended only to limit the use of appropriations carried by the particular act, thereby suspending repairing for only one year. If this is the true construction of the proviso, then, of course, it does not imply an abandonment of the road, for only an actual cessation of use, and that for a considerable length of time, is deemed to have such

an implication. (Lewiston *v.* Proctor, 27 Ill., 417; Washburn on Easements and Servitudes, 4th ed., 199.) In the Lewiston case the court stated the rule as follows:

"A transient or partial nonuser will not suffice. * * * It is insisted that as this road at the point of obstruction had not been repaired by the corporate authorities it was not regarded by them as a public highway. But all of the evidence to that point shows that from the nature of the ground it was never required. This being true, the law will not require a useless act. Had it been necessary, and it had never been repaired, that fact, with others, would have been proper for the consideration of the jury in determining whether it was regarded by those having charge of the highways as a public road. Of itself that fact is not sufficient to vacate a legally acquired public highway."

There are several reasons why I am of opinion that the proviso is properly to be construed as applicable only to the appropriations carried by the act in which it appears, notwithstanding the fact that the language of the clause, not being in terms explicitly limited, is, standing alone, open to the other construction.

The policy of Congress in these appropriation bills appears to have been long settled against the inclusion of any general legislation. For example, the proviso contained in the paragraph next preceding the clause under construction prohibits any railroad from encroaching upon any of these cemetery roads, and though, in terms, it is just as general in its language as the clause under construction, it has been specifically reenacted by Congress year after year in every sundry civil act from 1895 to the present time. This annual reenactment of such clauses is the common practice in these acts, and in my opinion it indicates plainly a general policy of Congress to limit their scope to the year covered by the act.

The policy is also indicated by the rules of both of the Houses, the Senate rule (XVI, par. 3) being as follows:

"No amendment which proposes general legislation shall be received to any general appropriation bill;"

and the House rule (XXI, par. 2) being as follows:

"No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto."

Also the title of the act, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1911, and for other purposes," tends to repel the idea that general legislation was intended.

Again, the context of the particular clause points to the same conclusion. This context, including the clause itself, is as follows:

"Repairing roadways to national cemeteries: For repairs to roadways to national cemeteries which have been constructed by special authority of Congress, $12,000: *Provided*, That no railroad shall be permitted upon the right of way which may have been acquired by the United States to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this sum shall be used for repairing any roadway not owned by the United States within the corporate limits of any city or village.

"No part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

"For the completion of a protective fence along the roadway leading from Mounds to the national cemetery near Mound City, Pulaski County, Ill., and for the drainage of the ponds or borrow pits caused by the construction of said roadway, $3,000, to be expended under the Quartermaster General." (36 Stat., 723.)

It appears, therefore, that the paragraph immediately preceding and the paragraph immediately following are both necessarily limited to the particular appropriation carried by the statute, and it would require a more explicit statement than the clause itself contains to differentiate it from these surrounding provisions.

The congressional history of the legislation also leads me to the same conclusion. On March 14, 1908, and again on December 14, 1909, your department called the attention of Congress to the fact that there were three different approaches to this cemetery: First, the Mound City Road; second, the Cache River Road; and third, the Mounds Junction Road; and that the latter two of these roads had been constant sources of annoyance, owing chiefly to the excessive proportion which they absorbed out of the total annual appropriations for maintaining all the cemetery roadways in the United States. In this connection your department requested that an item be inserted in the forthcoming sundry civil bill providing for the transfer of these two roads and restricting your department from maintaining more than one approach to any national cemetery. Thereupon a clause was inserted in the appropriation bill, as it first came before the House Committee of the Whole, covering expressly both the recommendation for transfer of the roads, and the recommendation for restriction of the repairs. This paragraph was as follows:

"For the completion of a protective fence along the roadway leading from Mounds to the national cemetery near Mound City, Pulaski County, Ill., and for the drainage of the ponds or borrow pits caused by the construction of said roadway, $3,000, to be expended under the Quartermaster General: *Provided*, That immediately after said work shall have been completed or said appropriation expended the Secretary of War is authorized and directed to convey to the commissioners of Pulaski County, Ill., whatever right or title the United States may have to roadways and the land on which they have been constructed from said national cemetery to Mounds, formerly known as Mounds Junction, and from said cemetery to the Cache River; and if said commissioners fail or refuse to accept such conveyance, the United States from that time abandons said roads and they shall no longer be maintained by the United States: *And provided further*, That hereafter no part of any appropriation for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery." (Cong. Rec., vol. 45, pt. 7, p. 6933.)

A point of order was made against this paragraph on the ground that it was general legislation in an appropriation bill, and therefore in violation of the policy of the House as declared by the aforesaid rules, and this point of order was sustained and the paragraph went out of the bill.

Later the proviso restricting the use of appropriations was restored, and the same point of order was made against it, but the point was overruled, the Chairman saying:

"It is a clear limitation on the appropriation in this bill, and is in order."

Under all these circumstances I do not think this clause should be construed as having the effect of the whole paragraph as originally introduced and then eliminated.

In the context of the clause as quoted above, it will be noted that explicit provision is made for the completion of a protective fence along the Mound City Road. The existence of this provision seems to me of some weight in corroboration of this view of the intention of Congress, for if the clause is to be construed as an abandonment of two out of the three roads to this cemetery, and if your department had been intended to have full power to select which of the two roads should be abandoned, Congress would hardly have prescribed the building of this fence, because it might be that your department would decide that that very road should be itself abandoned.

All these considerations seem to me to outweigh the circumstance that at one stage in the progress of the bill the clause read—

"No part of any appropriation herein for national cemeteries or the repair of roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery."

It was in this form that the original amendment offered in the House on May 26, 1910, was passed by the House. The Senate struck it out, but in conference the House committee insisted upon it, and the conference report of June 23, 1910, states that "the House provision is restored." How the word "herein" happened to be dropped out in the final form of the bill does not appear, but in my opinion its absence is not controlling as against numerous other considerations above stated.

I am of opinion, therefore, that the proviso was not intended to be general legislation, and, therefore, that it should not be construed as indicating an intention to abandon any of the roads in question.

I feel the more assured in this conclusion because of the general principle that the jurisdiction and property rights of the United States should not be lessened except upon the clearest expression by Congress.

I return all papers herewith.

Respectfully, GEORGE W. WICKERSHAM.

The SECRETARY OF WAR.

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

Mr. THISTLEWOOD. Mr. Chairman, I came to this House about three years ago, and was immediately confronted with this cemetery proposition. The Quartermaster's Department seems determined to throw the roads back on the people. I live within 5 miles of this cemetery, and I feel as if I could not go home and raise my head if the Congress refused to take care of this national cemetery. You might as well go to that brick monument that has been reared there and chop out the bottom as to refuse to take care of the road and paths that run to this cemetery. It is an injustice to the people who live there.

At the time the cemetery was established there were not 500 people living in the county. In Mound City, which is a mile from the cemetery, there are only about 2,000 people now. Yet there have been 6,000 Union and Confederate soldiers buried there. The brave Gen. Turgeon, who came here from Austria, is buried there. I say this Government would be unjust and recreant to its duty if it refused to make ample provision for the care of this cemetery. What is the amount appropriated for all the roads to the national cemeteries in the country? Twelve thousand dollars. It is a mere pittance, a mere bagatelle, and I feel as if it was almost a personal attack on me.

Mr. MICHAEL E. DRISCOLL. Do they need more than one road to this cemetery?

Mr. THISTLEWOOD. Yes; there are three.

Mr. MICHAEL E. DRISCOLL. Does the gentleman want them all kept up?

Mr. THISTLEWOOD. Yes; we want them all kept up; we want to be fair to all of the people that come to that cemetery. We are burying people there to-day who are entitled to be buried here, and I think it is only just that the Government should take care of the cemetery and not remove the flowers until the chief mourners have passed by. Gentlemen, do you want to tear down the monument that was erected to the valor of these men who made the monuments of this country, not only on the Union side, but on the Confederate side? I was reading to-day of a company of the Sixteenth Minnesota Regiment which was almost wiped out at the battle of Gettysburg, and yet not a man was taken prisoner and scarcely one-tenth escaped, but stood there like a wall. This cemetery, together with its roads, are a monument to the valor of the American soldiery and ought not to be cut down. [Applause.]

Mr. SMITH of Iowa. Mr. Chairman, I trust that I have as much admiration for the Union and Confederate soldier as the gentleman from Illinois, although I did not, like him, have the privilege of serving in that great struggle. I have so much admiration for the First and other Minnesota regiments that I would spend a part of the money to maintain the cemeteries where they are buried. This gentleman and his predecessors have succeeded in getting three highways to this national cemetery covering most of the roads in the county and relieving the people from maintaining the roads, and the record shows that this one cemetery he is talking about has consumed 40 per cent of all the money appropriated for all of the roads to all of the national cemeteries within the limits of the United States. It is a question not of doing honor to the soldier dead, but whether he is to monopolize all of the money of all

the soldier dead for the few soldiers buried in the cemetery at Mound City. [Applause.] I ask that the amendment be agreed to, and that he be given, like everybody else, one road into the national cemetery at national expense.

Mr. THISTLEWOOD. I would like to ask the gentleman if he knows how much money was spent on this national cemetery last year?

Mr. SMITH of Iowa. I hope there was not any spent but upon one road, for that was the law.

Mr. THISTLEWOOD. Not one penny.

Mr. SMITH of Iowa. The record shows that 40 per cent of all the money appropriated for all the roads in the United States was spent at this cemetery.

Mr. THISTLEWOOD. It does not make any difference what the hearings say. It is there as a monument to the heroes of the country. [Cries of "Vote!"]

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

The question was taken; and on a division (demanded by Mr. THISTLEWOOD) there were—ayes 70, noes 17.

So the amendment was agreed to.

The Clerk read as follows:

NATIONAL MILITARY PARKS.

Chickamauga and Chattanooga National Park: For continuing the establishment of the Chickamauga and Chattanooga National Park; for the compensation and expenses of three civilian commissioners, maps, surveys, clerical and other assistance, including $300 for necessary clerical labor under direction of the chairman of the commission, office expenses, and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; for roads and their maintenance; the purchase of small tracts of lands heretofore authorized by law, including $8,000 for completing the improvement and maintenance of the road owned by the Government from Stevens Gap by way of Davis's Cross Roads to Crawfish Springs in the park; in all, $60,000.

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

The Clerk read as follows:

On page 101, at the end of line 25, insert:

"*Provided*, That the Secretary of War is hereby authorized to convey to N. C. Steele, of Chattanooga, Tenn., the north 5 feet of the lot conveyed by him to the United States in 1902, situated in Hamilton County, Tenn., on the payment by him of $200 as consideration therefor."

Mr. HULL of Iowa. Mr. Chairman, I reserve the point of order until I can have some explanation of this.

Mr. SMITH of Iowa. Mr. Chairman, I will say that this was recommended by the War Department, but the subcommittee did not feel that it was important enough to put it into this appropriation bill. Since the hearings, however, the gentleman from Tennessee [Mr. MOON], who represents that district, has convinced us that it is a proper thing to have in this bill, and I will yield to him to make further explanation.

Mr. MOON of Tennessee. Mr. Chairman, I will ask the gentleman from Iowa to withdraw his point of order. This is a very small matter to the Government, but a matter of some importance to Dr. Steele. He conveyed a small tract of land to the Government of the United States upon which to build the Ohio monument. His residence adjoins this piece of land. By mistake he conveyed a little more of his land than he ought to have conveyed, not leaving enough room between the Government land and his own land for a wagon road into his back yard. At this time he passes over the Government's reservation in order to reach the back part of his premises. This proposition is simply to reconvey to him a strip of land 5 feet by 150 feet, so as to enable him to have a right of way into his premises and avoid going over the land of the Government.

Mr. KEIFER. Mr. Chairman, I want to know whether the gentleman is satisfied there is no historic marking of any kind in connection with the part that would be affected by the sale of this small strip of land.

Mr. MOON of Tennessee. None whatever. I have seen the land and the Commissioner of the Chattanooga Military Park has examined it. It does not interfere with anything at all. It simply enables this man to have a right of way into his back premises. At present he goes over the grounds of the Government to get there. That the commission desires to stop, and as a matter of course could stop, if it wished to do so and was harsh to this gentleman.

Mr. SMITH of Iowa. May I ask the gentleman whether there is any fence or other thing marking the Government boundary at that point?

Mr. MOON of Tennessee. The fence there is 5 feet from Mr. Steele's house, between the Government land and his premises. It divides it there. The Government property is open and uninclosed in front but it is inclosed on either side by fences belonging to resident owners.

Mr. SMITH of Iowa. The Government does not own this fence so that it would be to the expense of moving it?

Mr. MOON of Tennessee. No; it does not own the fence at all and it does not interfere with any of the Government property. It does not diminish the size of the premises in the least. Dr. Steele conveyed his land to the Government for about $125; that is, of the amount that was paid the proportion of this strip to the whole would about equal that amount. He is proposing to pay back to the Government $200, the amount recommended by the War Department for that purpose.

Mr. HULL of Iowa. Do I understand that this is recommended by the department and by the commissioners of the park?

Mr. MOON of Tennessee. Yes; by the War Department and the Commissioners of the Chattanooga and Chickamauga National Military Park.

Mr. HULL of Iowa. Mr. Chairman, while I really think this is a bad way to legislate, as there are committees having jurisdiction of these matters that ought to have them submitted to them, yet, with the statement of the gentleman from Tennessee, I withdraw the point of order.

Mr. MOON of Tennessee. I thank the gentleman from Iowa.

The Clerk read as follows:

Gettysburg National Park: For continuing the work of establishing the national park at Gettysburg, Pa.; for the acquisition of lands, surveys, and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; making fences and gates; marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts, and compiled without censure and without praise; preserving the features of the battle field and the monuments thereon; providing for a suitable office for the commissioners in Gettysburg; compensation of three civilian commissioners, clerical and other services, expenses, and labor; the purchase and preparation of tablets and gun carriages and placing them in position, and all other expenses incidental to the foregoing, $55,000.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I move to strike out the last word. I wish to ask if it is proposed to buy any more land out at the Gettysburg National Park?

Mr. SMITH of Iowa. Well, there is nothing contemplated by this item. This is a reduction of $8,000 below last year's ordinary expenditures. I believe there is some land in the vicinity of the cavalry field that it is contemplated at some time in the remote future to buy.

Mr. HULL of Iowa. That would not come in here; that is an extension of the maneuvering ground.

Mr. MICHAEL E. DRISCOLL. It is not intended to cover the additional purchase of land.

Mr. SMITH of Iowa. The gentleman asks if it is in contemplation to buy any land, and I did not feel at liberty to say it was not contemplated, because it is in the future, but not at all out of this appropriation.

Mr. MICHAEL E. DRISCOLL. There is a provision for it here.

Mr. SMITH of Iowa. That is the language used in all these items with reference to general expenses if they wanted to buy a little land.

The Clerk read as follows:

Vicksburg National Military Park: For continuing the work of establishing the Vicksburg National Military Park; for the compensation of three civilian commissioners; for clerical and other services, labor, iron gun carriages, the mounting of siege guns, monuments, markers, and historical tablets giving historical facts, compiled without praise and without censure; maps, surveys; roads, bridges, restoration of earthworks, purchase of lands, purchase and transportation of supplies and materials; and other necessary expenses, $44,000.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert, at the end of line 2, page 104:

"Whenever a vacancy shall occur in any national military park commission it shall not be filled."

Mr. KEIFER. Mr. Chairman, I make a point of order on that—I will reserve the point of order.

Mr. FITZGERALD. If some gentleman wishes an explanation, I am perfectly willing to make it.

Mr. MICHAEL E. DRISCOLL. May I ask that the amendment be again reported?

The amendment was again reported.

Mr. KEIFER. Mr. Chairman, I would like to know what this means.

Mr. FITZGERALD. Mr. Chairman, the amendment is very clear. These commissions are filled at present. For one of these parks there now is an appropriation of $27,000, and more than $10,000 of that sum is paid to the commissioners and one or two clerks. There is no excuse for continuing that system beyond the life of the gentleman now occupying those places.

Mr. DOUGLAS. I understood the gentleman to state there was one of these parks, where, out of an appropriation of $27,000, they expended $10,000 for salaries of commissioners and clerks. Which commission is that?

Mr. FITZGERALD. Which commission? Shiloh National Park Commission. But at all these parks the compensation of the commissioners is about 20 per cent of the appropriations for the work, and there is no excuse for it.

Mr. DOUGLAS. I do not think that——

Mr. HULL of Iowa. I want to say, after a considerable investigation of this matter, I think the gentleman's amendment does not go far enough. What we ought to do is to consolidate these commissions and not have more than five of them for all the parks.

Mr. FITZGERALD. I agree with the gentleman; but here is the difficulty: At present these commissions exist, and upon them are certain gentlemen who have served with some distinction in the war. It would be impossible to consolidate the commissions at this time so as to eliminate some of these gentlemen from their positions.

Mr. HULL of Iowa. And one reason I think the amendment ought to be adopted is that I hope it will lead to a consolidation.

Mr. FITZGERALD. But if we provide first that the places of those members, who will only leave the commissions as they die, should not be filled, it will be very easy later, when sufficient vacancies occur, to bring about a consolidation and the creation of one commission, which will have control of military parks. I think the gentleman from Iowa realizes that one commission could adequately and properly perform the duties properly devolving upon them.

Mr. HULL of Iowa. These parks are all practically finished now, and the Committee on Military Affairs has reported a bill on two occasions to consolidate them, but they have never been able to get it through; but it should be done by the Congress not only for the better administration of the parks, but in the interest of economy.

Mr. FITZGERALD. It would be much easier to enact legislation consolidating the commissions when those now upon it have passed out, and we should provide that the places should not be filled.

Mr. HULL of Iowa. The theory has always been that one representative of each of these boards would be on the new commission, so that each park would be represented, and that would make a commission not to exceed five, and make it more efficient, less cumbersome, and much more economical.

Mr. BENNET of New York. How are these commissioners appointed, by whom, and for what term?

Mr. FITZGERALD. They are appointed by the President. It is my impression that they serve until they die.

Mr. BENNET of New York. Well, I think what my colleague contemplates is, that when one of these gentlemen who is appointed usually for some service, dies, his place shall not be filled?

Mr. FITZGERALD. That is it.

Mr. BENNET of New York. But if these men are appointed for definite terms of office——

Mr. CANDLER. They are not so appointed, but during the continuance of the commission.

Mr. SMITH of Iowa. If the gentleman will pardon me, I will make a suggestion which I think is not occurring to the minds of all the Members. When these parks were created the great feature was to locate every historical point on the field, and these commissions passed upon the inscriptions on the monuments as to whether they were correct or not, and approved or rejected.

A great study of each battle field was required at that time, and it was desirable that there should be one Union and one Confederate soldier upon each commission. That time of the marking of the battle fields has passed away, and it is a mere question now of caring for and preserving them, and yet if an attempt should be made by act of Congress to abolish any one of these commissionerships each of the commissioner's friends would regard that as detrimental to his interests. The bill reported has been repeatedly defeated, or has failed to pass I might more properly say.

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

Mr. SMITH of Iowa. I ask to be recognized in my own right for one moment, Mr. Chairman. While it seems to me that this provision offered by the gentleman from New York [Mr. FITZGERALD] will not do all that ought to be done—namely, to create a new commission in charge of all the parks, with one representative on the new board from each of the old commissions—it will make it, as my colleague from Iowa [Mr. HULL] suggested, a matter of saving to the Government until these commissioners get down to one to a park, and at the same time it will make it much easier to establish a new principle and pass a right law that will provide one commission for them all. Nobody will claim that the provision of the gentleman from New York [Mr. FITZGERALD] is a remedy. It will be an improvement on the condition. We do not need three men where all the historic sites have been located, where all the plans for the improvement of the parks have been made. Two men or one man can do the work, and then have little to do. We will economize and we will advance to a state where the enactment of ideal legislation is possible, and I hope the gentleman from Ohio [Mr. KEIFER] will be able to see his way clear not to make the point of order.

Mr. COX of Indiana. How much salary do these commissioners draw?

Mr. SMITH of Iowa. From $3,000 to $5,000 apiece.

Mr. BARTLETT of Georgia. Mr. Chairman, I am not in favor of this amendment. While I did not make the point of order, I do not think that this is the kind of a commission that we should attack and abolish. There have been and are numerous commissions established and provided simply to make places for people, some of them Members of Congress going out, and who have for some reason or other abandoned public life, possibly by being defeated at the polls. None of these parks are in the district I represent. Each one of these acts establishing the military parks provides the number of the commissioners and the manner of their appointment, and they provide that these commissioners shall be men who were participants in the battle which the park is established to commemorate, upon either side of the contest.

All of these men are old men. They are old soldiers. They are men who took a prominent part in that great struggle. It will not be long until they will all be gone. We can provide hereafter——

Mr. SMITH of Iowa. Does the gentleman quite fully understand that the gentleman does not propose to remove anybody?

Mr. BARTLETT of Georgia. I understand that.

Mr. SMITH of Iowa. And that these men are to serve their lives out in this work?

Mr. BARTLETT of Georgia. Yes; but some may die early—within a few days or a few months. No one can tell when they will pass away. And yet their places are not to be filled, and this work is not to go on.

Mr. SMITH of Iowa. The work is finished.

Mr. BARTLETT of Georgia. It is not all finished, and I do not believe that we ought to attack, for economy's sake, this work that we have undertaken to establish and carry on, to perpetuate the heroism and patriotism of the men on both sides of that great struggle; and for one I hope it will not be stricken out.

Mr. KEIFER. Mr. Chairman, I shall not occupy more than a moment or two of time. Something was said about the work being finished. Such work is never finished. These park commissions have charge of the parks, and they have important business all the time. The several commissions that have charge of Antietam, and Gettysburg, and Chickamauga, and Vicksburg, are always employed. Some of the work which they did originally, or some of the work which they superintended, perhaps, such as marking the positions where the troops were placed in battle, and the positions where they fought and where gallant deeds were performed—much of that work is done, and yet disputes as to locations are going on continually, and the commissioners often relocate those important places. The work of that kind that has been done has usually been done through consultation with the representatives of the military organizations, either Confederate or Union, and that work has not been completely finished. This plan of undertaking to get rid of these commissions by piecemeal, through vacancies occurring by death or resignation, is not a good one, in my judgment.

If the Congress of the United States at some time determines that it is wise to have but one commission—and I think that time is not near at hand—then it will be time enough to adopt it, but I do not think it is wise to go to work and crumble away these commissions, so as to destroy their efficiency and destroy their potential character and their ability to keep up these parks in proper order

I was recently on the battle field of Waterloo, and was very much disappointed to see how poorly the authorities in charge had marked the different positions on that field. I inquired about various places which, according to my reading, were important places and positions in the battle, and few of the guides could tell me anything about them. But if you will go up here to the Antietam battlefield or to any of these other places, where parks are found, you will see how faithfully and completely the battle fields are marked. It is easy to understand the great difference and importance of the work done, historically, which is of interest not alone to those who were

not there, but of special interest to those who participated in the battles, and it is gratifying to see how well the positions are marked. Mr. Chairman, I insist on the point of order.

Mr. SMITH of Iowa. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield?

Mr. KEIFER. Yes.

Mr. SMITH of Iowa. I would like to ask the gentleman from Ohio whether he does not think that at Shiloh, where we make an appropriation of $27,000 for continuing the work of establishing that park and for the compensation of three civilian commissioners, and where they have besides an overhead superintendent, whether the overcharges are not getting pretty high in the administration of that particular park?

Mr. KEIFER. I am not particularly informed as to the administration of the Shiloh Park, or as to the exact figures, but I know that recently we have been making some purchases of land and restoring some of the buildings on the battlefield of Shiloh, and I think that battlefield has been very well marked. If there has been anything wrong with the administration, I hope that will be corrected.

Mr. SMITH of Iowa. It is the administration of the parks that is wrong.

The CHAIRMAN. The point of order made by the gentleman from Ohio [Mr. KEIFER] is sustained. The Clerk will read.

The Clerk read as follows:

For removing fence and wall around the Botanical Gardens and such grading, soiling, seeding, and sodding as may be incident thereto, $2,500.

Mr. DOUGLAS. I move to strike out the last word. This item provides for removing the fence and wall around the Botanical Gardens. I thought that matter had been settled once, and that it was decided that that fence was not to be removed.

Mr. SMITH of Iowa. There is an express statute requiring it to be removed.

Mr. DOUGLAS. How long has it been in existence?

Mr. SMITH of Iowa. About eight years, but the money has never been appropriated.

The Clerk read as follows:

The Joint Committee on the Library is directed to report by bill at the next session of Congress for the removal of the Botanical Gardens and their relocation in some more suitable location on public grounds of the United States in the District of Columbia, and to also secure and report as accurate estimates as possible of the entire cost of such change, including both the cost of removing the buildings and other property which ought to be removed from the old location and the replacing of such of said property as may be suitable therefor in the new location, and also of the cost of such additional improvement as should be made upon the new site.

Mr. DOUGLAS. I reserve a point of order against that paragraph.

Mr. BARTLETT of Georgia. I make a point of order against it.

Mr. HAY. I make a point of order against it.

Mr. ADAIR. I make a point of order against it.

The CHAIRMAN. The gentleman from Ohio, the gentleman from Virginia, the gentleman from Georgia, and others make a point of order against the paragraph. Does the gentleman from Iowa [Mr. SMITH] desire to be heard?

Mr. SMITH of Iowa. I think not. The law now requires the Joint Committee on the Library to report this proposition, and they have failed to obey the law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BARTLETT of Georgia. I apprehend that the law is in a general appropriation bill, just like this.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. DOUGLAS. Regular order!

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the last word. I intend to say what I have to say, Mr. Chairman, in spite of the loud and sonorous demand of the gentleman from Ohio that we have the regular order.

Mr. SMITH of Iowa. I can not interfere with the gentleman's right to speak, but we struck out the only paragraph that has been read recently, and the gentleman has no right to go back to a previous paragraph.

Mr. DOUGLAS. I ask unanimous consent that the gentleman from Georgia be given five minutes.

Mr. BARTLETT of Georgia. Mr. Chairman, I merely want to say that the law called attention to by the gentleman from Iowa is probably a paragraph in another appropriation bill, and it looks to me like absolute folly for the Congress of the United States to undertake to instruct, at this session of Congress, what any committee of the next Congress or the next Congress itself shall do.

Mr. SMITH of Iowa. Mr. Chairman, we will agree on that, that nobody can control the next Congress at all, not even its Members.

Mr. BARTLETT of Georgia. The gentleman's side of the House would have been in much better condition if somebody had been able to control them on some subjects that came before the last session of this Congress. [Applause on the Democratic side.]

The Clerk read as follows:

The Quartermaster General of the Army shall hereafter provide suitable accommodations for and maintenance of the horses, carriages, and other vehicles of the President and of the Executive Office in the stables maintained in the District of Columbia by and for the use of his department.

Mr. HULL of Iowa. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HAY. I make the point of order.

Mr. SMITH of Iowa. Mr. Chairman, I understood that the chairman of the Military Committee would be satisfied if this section was amended by striking out the words "and maintenance of." I will say that I believe the words never had the meaning that the gentleman thought they have.

Mr. HAY. And also strike out the word "hereafter."

Mr. HULL of Iowa. I would suggest that we now have a law providing for the destruction of the Executive stables, and that if we strike out the word "hereafter" and the words "and maintenance of" it would leave a future Congress to provide the proper place for the Executive horses and carriages.

Mr. SMITH of Iowa. I will say, Mr. Chairman, that inasmuch as this is subject to a point of order I will agree to almost any modification that gentlemen may suggest.

Mr. HAY. I make the point of order.

Mr. SMITH of Iowa. Do I understand the gentleman from Virginia to say that if we strike out the word "hereafter" that will be satisfactory to him?

Mr. HULL of Iowa. I suggest to my friend from Virginia that if we strike out the word "hereafter" and the words "and maintenance of" it will simply authorize the quartermaster to care for the Executive horses during the next fiscal year.

Mr. SMITH of Iowa. Let me suggest to the gentleman from Virginia that it is claimed, and rightfully, I assume, that the present White House stable is not fit for occupancy. It was complained in the last administration that the animals there were sick, and they were taken out of this stable. The new administration tried to use the stable and found again that the animals were afflicted with disease; that the place was infected; and that it was impossible, in that low ground, to make the stable suitable for the keeping of animals. And thereupon the President, I presume by virtue of his office as Commander in Chief of the Army, supposed he had a right to put the White House horses and cow in the quartermaster's stable, and they are there now. I personally have very little doubt of his right to do so without any special act to that effect. It was not the intention to impose upon the Army the cost of the maintenance of any of these animals or automobiles. The idea of the committee was to impose on the Quartermaster General's Department the maintenance of the stable room, not the maintenance of the animals themselves or of the automobiles.

Mr. HAY. I will withdraw the point of order, with the understanding that the amendment will be made.

Mr. SMITH of Iowa. We will have to make the amendment; but I think the gentleman will agree that inasmuch as we have provided for tearing down the White House stable, and that the President has no place to keep the horses, we might make provision for keeping them in the quartermaster's stable, where there is a surplus of room.

Mr. HULL of Iowa. Mr. Chairman, I desire to say a word in answer to my colleague. The gentleman believes that the President as Commander in Chief of the Army and the Navy has a right to have his horses kept in the Quartermaster's Department. It has never been so held, and the Congress has always provided for the President in another bill. The law specifically provides for the number of horses each officer of the Army shall have forage and care for, and the quartermaster's stable is to provide for the care of these horses. The law at no place prescribes for the horses of the President and Commander in Chief, and there is no law on the statute book except that carried in the legislative bill which provides specifically for the White House and its needs and the necessities for the President in the discharge of his duties, not as Commander in Chief, but as Executive of the Nation. The President should be and is always fully cared for as a proposition independent of the Army.

The Army has been charged with a great many expenses that are not legitimately military, and to my mind this was a proposition to load the Army with the care of the Executive's horses and vehicles, including automobiles, and had nothing whatever to do with Army expenses. And it not only goes that far, but some of the clerks have carriages and horses. There is nothing in the law that authorizes the purchase or maintenance of a single horse for the Executive of this country out of the Army appropriation. I am in favor of making the most ample

allowance for the maintenance of the Executive office, but it should be done in a proper way. It has always been carried in the executive, legislative, and judicial bill, and that bill, now in conference, makes ample provision, and I can see no reason for a double appropriation or for hereafter transferring this item to the appropriation for the Army.

Mr. HAY. Mr. Chairman, I call attention to the paragraph immediately following, which provides for the ordinary care, repair, and refurnishing of the Executive Mansion, and for the purchase and maintenance of driving horses and vehicles.

Mr. SMITH of Iowa. That shows that the committee had no idea of charging the Quartermaster's Department with the maintenance of the horses and carriages.

Mr. HAY. Mr. Chairman, I withdraw the point of order and will move to amend.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 16 strike out the word "hereafter," and in line 17 strike out the words "and maintenance of."

Mr. SMITH of Iowa. Mr. Chairman, I desire to make a few remarks. I am for the amendment under the circumstances, but I want to say that the gentlemen on the Military Committee have suddenly, it seems to me, grown very anxious about the War Department appropriation being loaded with the expenses of the Executive. The gentleman from Iowa doubtless knows that horses have in times past been bought for the White House stable and paid for out of the appropriation for cavalry horses for the Army.

Mr. KEIFER. When was that?

Mr. SMITH of Iowa. Never mind when it was.

Mr. HULL of Iowa. I never knew of but one case of that kind.

Mr. SMITH of Iowa. The gentleman from Iowa doubtless knows that additional clerical help at the White House in times past has been detailed from the Quartermaster General's office on the theory that it was detailed to the office of the Commander in Chief of the Army.

Mr. COX of Indiana. When was that?

Mr. SMITH of Iowa. The gentleman from Iowa doubtless knows that employees at the White House stable have been detailed from the force of the Quartermaster General of the Army under theory that they were assigned to duty at the stable of the Commander in Chief of the Army. It is only when we have no stable for the White House vehicles and horses and when there is surplus room in the quartermaster's stable of the Army, when it is discovered that a bad precedent will be established by putting them under our own roof. [Laughter.]

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

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

The Clerk read as follows:

Executive Mansion: For ordinary care, repair, and refurnishing of Executive Mansion, and for purchase, maintenance, and driving of horses and vehicles for official purposes, to be expended by contract or otherwise, as the President may determine, $35,000.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to know if it would not be well, under the circumstances, to change the words "Executive Mansion" to "White House." In discussing the previous paragraph, both the gentlemen from Iowa [Mr. HULL and Mr. SMITH] and the gentleman from Minnesota [Mr. TAWNEY] used the phrase "White House." The stationery of the President is all printed "White House," and the words "Executive Mansion" are too formal for this country. I move to strike out the words "Executive Mansion," in lines 21 and 22, and in lieu thereof insert the words "White House."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 21, strike out "Executive Mansion" and insert "White House."

Line 22, strike out "Executive Mansion" and insert "White House."

Mr. TAWNEY. Mr. Chairman, I trust the amendment will not prevail. "Executive Mansion" is the title that has been carried in all of the laws of the United States that are descriptive of the building occupied by the Chief Executive of the Nation. The Committee on Appropriations has been importuned for years to change this title from "Executive Mansion" to "White House," but Congress has never seen fit to adopt that recommendation. The words "White House," of course, have some significance here in the city of Washington, but there are a great many white houses all over the United States. There is only one Chief Executive Mansion, and all of the appropriations carried in the sundry civil bill for expenditures on account of the maintenance of the home of the Chief Executive and the grounds surrounding that home are described in the law as for the Executive Mansion, and they have been so described from the beginning of our Government down to the present time. I trust the amendment will not prevail.

Mr. COOPER of Wisconsin. The gentleman says "Chief Executive Mansion."

Mr. TAWNEY. It is the "Executive Mansion."

Mr. COOPER of Wisconsin. You will find an executive mansion in every State in the Union.

Mr. TAWNEY. Yes; and it applies to the home of the chief executive of the State just as this is descriptive of the home of the Chief Executive of the United States.

Mr. SMITH of Iowa. It is the term used in the law authorizing its construction.

Mr. TAWNEY. Yes.

Mr. FITZGERALD. The difference is that one is the official title and the other is the popular, social appellation, and in our laws we should not put in the popular phrases and expressions. We should keep the strict word of the law.

Mr. COOPER of Wisconsin. Of course the "popular appellation" would have to go out.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Hereafter no greater sum shall be paid any company for lighting any gas or electric lamp in the public grounds, or for installing or moving the same, than is paid by the District of Columbia for similar services, and no contract shall be required to be entered into for lighting the public grounds. Any settlement for arc lighting under the existing contract with the Potomac Electric Power Co. effected by the Commissioners of the District of Columbia shall apply to the contract with the same company for arc lights for the public grounds and highway bridge.

Mr. BENNET of New York. Mr. Chairman, I reserve the point of order on that. What is the exact purpose of the language in lines 4 and 5, page 111?—

And no contract shall be required to be entered into for lighting the public grounds.

Mr. TAWNEY. Mr. Chairman, I will say to the gentleman from New York that is the exact provision carried in the District appropriation bill with reference to the contract with the lighting company for the lighting of the city of Washington. Heretofore they were required to enter into a contract for three years at a time. That has been found to be absolutely impracticable, and they would have to enter into a contract for a year at a time under the general law. This is made to conform to the lighting of the city, which lighting is done by the same company that lights the grounds, and then there is another reason for it. The Superintendent of Public Buildings and Grounds contemplates within the next year attaching the lights in some of the grounds around the White House to the plant in the State, War, and Navy Department. They have sufficient current and capacity there to do that, and he wants the privilege and the opportunity of experimenting with it for that purpose.

Mr. BENNET of New York. The gentleman thinks that provision is in the interest of good administration and ultimate economy?

Mr. TAWNEY. Yes.

Mr. BENNET of New York. I withdraw the point of order.

The Clerk read as follows:

Unveiling statue of John Paul Jones: For unveiling and dedicating the statue of John Paul Jones and for each and every purpose connected therewith, including erecting and taking down reviewing stands and putting the grounds in sightly condition, to be available until expended, $2,500.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I reserve the point of order against that paragraph. Where is that statue to be unveiled?

Mr. TAWNEY. The statue is to be constructed at the foot of Seventeenth Street. It has been authorized.

Mr. MICHAEL E. DRISCOLL. Has the gentleman any idea that it will be completed within the next fiscal year?

Mr. TAWNEY. Yes; otherwise we would not have made this appropriation.

Mr. MICHAEL E. DRISCOLL. I did not suppose there was any chance of its being completed by that time.

Mr. TAWNEY. We are informed it will be in the fiscal year 1912.

Mr. GARRETT. Is that the usual provision in these monument matters, "to be available until expended?" Is that the usual expression?

Mr. TAWNEY. Yes.

Mr. GARRETT. I know that is the usual amount.

Mr. TAWNEY. That is the usual amount and that is the language in which all these appropriations are carried, because you can not tell accurately the date when the unveiling will take place.

The Clerk read as follows:

For subsistence, including the same objects specified under this head for the Central Branch, $119,852.

Mr. ANTHONY. Mr. Chairman, I would like to offer an amendment increasing the amount in that paragraph from $119,852 to $179,852, it being a typographical error.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 5, page 127, strike out "one hundred and nineteen thousand" and insert "one hundred and seventy-nine thousand," so as to read "$179,852."

Mr. ANTHONY. It is a typographical error.

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

The CHAIRMAN. The Chair will call the attention of the gentleman from Minnesota to line 22, page 126, where it says "specified under its head" it should be "this head."

Mr. TAWNEY. The word should be "this" instead of "its."

The CHAIRMAN. Without objection, on line 22, page 126, the word "its" will be changed to "this."

There was no objection.

The Clerk read as follows:

For subsistence, including the same objects specified under this head for the Central Branch, $122,171.

Mr. COX of Ohio. Mr. Chairman, I move to strike out the last word, primarily to get some information from the gentleman in charge of the bill. I notice there is an increase in each item for subsistence, and I would like to ask the chairman to tell the committee whether this is made upon the recommendation of the board of managers?

Mr. TAWNEY. I will say that it is. All estimates for subsistence for each home have been increased and the amount of the estimated increase has in every case been allowed by the committee. That is due to the fact they have increased the amount of the daily ration to all inmates.

Mr. COX of Ohio. Was there a reason given for this?

Mr. TAWNEY. Yes.

Mr. COX of Ohio. What was it, please?

Mr. TAWNEY. I say that the reason is that they have increased the amount of the daily ration.

Mr. COX of Ohio. Well, because of what?

Mr. TAWNEY. Because of the cost.

Mr. COX of Ohio. The cost of living?

Mr. TAWNEY. The cost of living is one cause to which it is attributed and which was given for that increase, and also because the men as they grow old need a different kind of ration. They have changed the ration in some respects so as to include articles which were not heretofore included in it.

Mr. COX of Ohio. Now, Mr. Chairman, is it not true that when this bill was up a year ago the statement was made upon the floor of this House, supplemented by a report from the Inspector General's office of the War Department, that the daily ration in the homes, exclusive of service and preparation, cost per man 14.89 cents; that in one home it was as low as 11 cents—less than that given to the prisoners confined in the Federal penitentiaries at Leavenworth and Atlanta——

Mr. KEIFER. About the same.

Mr. COX of Ohio (continuing). And is it not true, furthermore, that when that contention was made a statement was read on this floor from the board of managers seeking to disprove the contention that the men were not getting a sufficient ration? I ask the chairman whether he will confirm that statement.

Mr. TAWNEY. I remember indistinctly the controversy between the gentleman from Ohio and members of the committee respecting the ration that is provided for, but in so far as statements were made by gentlemen on either side of the controversy, I can not verify the statement of the gentleman from Ohio; I know from all the indications the result of the controversy was very satisfactory last November to the gentleman from Ohio, but I can not be explicit and verify all of the statements or the grounds upon which gentlemen argued pro and con on the proposition a year ago.

Mr. COX of Ohio. The facts are that the people in some parts of the country, Ohio and other places, were rather discriminating when they approached the polls last fall, in November. [Laughter.]

Mr. TAWNEY. Not in all cases, I would say. [Laughter.]

Mr. COX of Ohio. The gentleman from New York read into the RECORD a statement of Maj. Harris, if I remember correctly, tending to show that the ration was sufficient. Now it develops that Maj. Harris makes a different statement to the Committee on Appropriations. He says that—

The ration cost on the estimate submitted to the committee is now 20 cents per day, which includes the cost of service, etc.

I think the board was somewhat influenced by the agitation as to the feeding of the men in the homes, brought about by the reports of the inspectors general that they considered the amount expended too small, and so after very careful consideration they fixed it at 20 cents.

Now, in addition to that, Mr. Chairman, it develops that Maj. Brewster, in submitting his report to this Congress, called the attention of this body again to the fact that the situation with reference to rations had not been improved, but that the board had promised to make the proper recommendations to this Congress.

Mr. TAWNEY. And that increase was 1.2 cents per day.

Mr. COX of Ohio. That increase, nevertheless, amounts to $260,000.

Mr. TAWNEY. But, as a matter of fact, the increase is 1.2 cents per day to each inmate of the home.

Mr. COX of Ohio. It amounts to almost $40,000 in the Dayton Home, alone, or over $100 a day. But I want to make this observation at this juncture, and what I have said is stated for that specific purpose alone, that the Board of Managers or some one connected with that organization has sought to keep the facts with reference to the management of these homes from Congress, and in the statement now made to your committee the effort is made to impress upon the country and this Congress that the ration has been increased to 20 cents, when, as a matter of fact, it has been only increased to 16.87 cents. In speaking of the Army ration and other rations, it is customary to speak of the naked ration alone, without the cost of service and preparation, and so the Board of Managers in seeking to impress the 20-cent ration on the mind of this Congress are evading the facts once more.

I simply wished to make these observations for the truth of the history of the thing; that is all. The contention which I advanced a year ago the board now confirms. Incidentally it shows that congressional ventilation of bad administration serves a very wholesome purpose. I withdraw the pro forma amendment.

Mr. TAWNEY. Well, if the gentleman is satisfied with the truth of history, I am satisfied.

The Clerk read as follows:

In all, for National Home for Disabled Volunteer Soldiers, $4,031,282.

Mr. ANTHONY. Mr. Chairman, I desire to offer an amendment.

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

The Clerk read as follows:

Insert, page 133, between lines 14 and 15:

"*Provided*, No part of the appropriation for subsistence at national soldiers' homes shall be expended for oleomargarine or substitutes for butter."

Mr. ANTHONY. Mr. Chairman, last November I made a visit——

Mr. SHERLEY. Mr. Chairman, I reserve a point of order on that.

Mr. ANTHONY. Last November I made a visit to the western branch of the National Soldiers' Home at Leavenworth. I spent the day out there, and in view of the discussion that took place in this House last year on how the men at these soldiers' homes are being fed, I went particularly into the question of subsistence.

I found at the Leavenworth Home the men were being well fed and well taken care of in every respect, but there was the absolute necessity that it was apparent with those old men—thousands of them, with an average age of perhaps from 70 to 75, many of them 85 to 90 years—there is an absolute necessity of their getting more and better food. They can not subsist now upon the kind of food they could at one time when they were hale and hearty.

Mr. FITZGERALD. Do you not think good oleomargarine is much better than the bad butter that they get there?

Mr. ANTHONY. We propose to give them good butter. These men need more butter, and they need milk, and they need eggs. It would be nothing more than humanity to give them those things. The meal that I inspected out there was good in every respect except the fact that oleomargarine was served at the table. The men told me that oleomargarine, coming on that table three times a day, in a very short time became absolutely revolting to their stomachs. I do not blame them for it, and I believe it would be the decent thing to do in behalf of these old soldiers, these brave men who went out and saved the Union in the dark days from 1861 to 1865, to treat them as well as we would ask that we ourselves be treated in our old age.

Now, there is not a man here, not even Mr. FITZGERALD, of New York, who would eat oleomargarine——

Mr. FITZGERALD. I never eat oleomargarine, or butterine, either. [Laughter.]

Mr. ANTHONY. I hope the House now will fully debate this amendment and inaugurate this reform.

Mr. SHERLEY. If the gentleman is sure that the old soldiers will be furnished with better butter than the oleomargarine they are now served with, I will withdraw my point of order.

Mr. ANTHONY. I am sure they will be. These soldiers' homes are inspected with the utmost rigidity, and I may add for the gratification of the gentleman that even the whisky they use there is the best whisky that is made in the State of Kentucky. [Laughter.]

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY] withdraws the point of order.

Mr. CRUMPACKER. Before the motion is put, I want to make a suggestion.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Kansas either speaks very disingenuously or without information about oleomargarine. He speaks as though oleomargarine were a deleterious food substance. Had he been in this House within a very few years when the pure-food bill was under consideration, or even when we had under consideration that very indefensible bill which placed a tax of 10 cents a pound on uncolored oleomargarine, he would have learned that oleomargarine is a very much better foodstuff and is purer and less objectionable from every standpoint than 70 or 80 per cent of the butter that is sold and is consumed by those who eat butter.

Mr. COX of Ohio. I would like to ask the gentleman whether oleomargarine is served to soldiers in the Army?

Mr. FITZGERALD. I do not know as to that. It is immaterial whether it is or not. For myself, I may say that I eat neither oleomargarine nor butter. I am not prejudiced in favor of either foodstuff, but I know something about foodstuffs, and I assert now that the gentleman from Kansas, even though he does represent an agricultural district, would not be able to tell oleomargarine from butter if the oleomargarine were colored the same as the butter which the people sell.

Mr. ANTHONY. Yes, Mr. Chairman; but these old soldiers can tell it, and if the gentleman were to go into one of these soldiers' homes he would quickly find out what they think about it.

Mr. FITZGERALD. The gentleman's imagination is running away with his judgment. The taste of these old soldiers is not quite so acute as are the senses of the gentleman from Kansas. But, assuming that he is an expert on good butter—which, considering the surroundings of his habitat, I venture greatly to doubt—I am of opinion that he would not be able to tell oleomargarine from butter, if neither one of them were colored, or if both of them were equally colored. It is preposterous to assert that any class of people who use oleomargarine would say that it would be revolting to them. It is simply a pretense to try and urge a boom in the butter market, perhaps for the benefit of the butter producers of Kansas.

Mr. ANTHONY. Let me tell the gentleman something about the use of oleomargarine in cooking, for instance.

Mr. FITZGERALD. One moment, please. Oleomargarine, Mr. Chairman, is——

Mr. ANTHONY. It is made out of steer fat, and it absolutely poisons the flavor of anything that it is cooked with.

Mr. MACON. I must dispute that statement, Mr. Chairman. It is made out of cottonseed oil—the purest product on the face of the earth. It is a purely vegetable substance.

Mr. FITZGERALD. If the gentleman knew something about the renovated butter that he seems to be trying to have these old soldiers use, he would very quickly withdraw from his position.

Mr. ANTHONY. Oh, all the renovated butter is sent to New York City. [Laughter.]

Mr. FITZGERALD. I do not think this House should attempt to discriminate against any foodstuff that is in itself healthful and that is approved by all the medical profession, even including the distinguished gentleman who sits in the House [Mr. FOSTER of Illinois]. [Laughter.]

Mr. COX of Indiana. Except the gentleman from Illinois. [Laughter.]

Mr. FITZGERALD. We have already done enough to drive oleomargarine out of the market.

Mr. FOSTER of Illinois. I will say to the gentleman that I prefer butter, myself. [Laughter.]

Mr. FITZGERALD. Oh, the gentleman does not know the difference. The gentleman imagines he prefers butter. [Laughter.]

Mr. ADAMSON. Probably the gentleman is able to pay 60 cents a pound for gilt-edge butter at the neighboring dairies, but he should remember that there are 60,000,000 of people in the country who are not able to pay that much.

Mr. CRUMPACKER. I desire to say only a word on this subject. If the managers of the Soldiers' Home at Leavenworth, Kans., supply the members of that home with the kind of oleomargarine that the distinguished gentleman from Kansas [Mr. ANTHONY] has described, they are getting a spurious article of oleomargarine. The ordinary oleomargarine is just as wholesome and just as nutritious as butter. It is a pure-food product from every standpoint.

When the oleomargarine-tax proposition was pending in this House Dr. Wiley, the great American food expert, said to me that he would rather eat oleomargarine than the average dairy butter that can be bought in the markets of the country, and that the family he was boarding with then used it on the table.

I have no doubt that the uncolored oleomargarine is a little bit obnoxious, because it does not look much like butter. It is not in the oleo itself, but it is in the imagination, the squeamishness of the appetite. We associate a certain natural color with butter. My judgment is that there has never been, since the organization of this Government, a more flagrant abuse of the taxing power, in destroying one industry for the benefit of another, than the imposition of the 10-cent tax on oleomargarine. [Applause].

I do not think this amendment ought to go into this bill, but if the veterans in the National Soldiers' Home at Leavenworth object to oleomargarine because of its color, or for any other reason, the managers of the home ought not to buy it and should supply them with butter. I believe in providing members of soldiers' homes with every comfort and convenience of life, but the law should not further discriminate against oleomargarine.

Mr. TAWNEY. Will the gentleman permit me to interrupt him?

Mr. CRUMPACKER. I will, in view of the gentleman's connection with that legislation.

Mr. TAWNEY. In view of my connection with the oleomargarine law, I must challenge the statement made by the gentleman that that law was for the purpose of taxing one industry for the benefit of another industry.

Mr. CRUMPACKER. That was its avowed purpose.

Mr. TAWNEY. The purpose was altogether different. The purpose was to tax fraud. That is what the tax was on, the fraud practiced by the oleomargarine manufacturers upon the consumers of butter, by selling their product for that which it was not.

Mr. MACON. Will the gentleman allow me to ask him how it was a fraud?

Mr. TAWNEY. I do not intend to delay the passage of this bill by getting into a discussion about the relative merits of oleomargarine and butter.

Mr. CRUMPACKER. I remember the able fight the gentleman from Minnesota made in favor of that law, and he was leading the insurgent forces in the House at that time. He distinguished himself as an insurgent leader, in favor of the Grout bill, I think it was.

Mr. TAWNEY. That is right.

Mr. CRUMPACKER. I voted against it. There is no oleomargarine manufactured in the district that I represent, and none that I know of in the State of Indiana; but I know something about oleomargarine and something about dairy butter. I prefer what we call creamery butter to oleomargarine for table use; but the ordinary dairy butter, in my judgment, is not as good as oleomargarine properly colored. And most of the butter that is sold in the markets is artificially colored; but perhaps they use innocuous coloring ingredients, such as annatto and saffron, and two or three other things that are entirely harmless.

I felt prompted to say these few words in defense of oleomargarine, and I hope the time will soon come when the tax of 10 cents a pound will be materially reduced, so as to bring that excellent food product within the reach of the great mass of the people of the United States.

Mr. MACON. Mr. Chairman, I have been informed that oleomargarine is made of cottonseed oil, a pure vegetable production that would not harm anyone unless used excessively.

Mr. ANTHONY. I agree with the gentleman in regard to oleomargarine made from cottonseed oil, but the oleomargarine that is purchased for the soldiers' homes that I am familiar with comes from the packing-house centers, where it is made from the refuse steer fat.

Mr. MACON. I know nothing of that brand of oleomargarine, but I understand that the gentleman's amendment proposes to exclude all oleomargarine.

If that is so, then he is legislating against a pure product that would be wholesome for anyone to eat, whether he was an old soldier or anyone else.

Mr. ANTHONY. I think the word "oleo" means steer fat. So an imitation butter made from cottonseed oil would pass as butterine, technically speaking, instead of oleo. I believe that if you could get a good butterine made from cottonseed oil it would be all right.

Mr. MACON. I think the gentleman should legislate against butter on that theory, because I have seen it unfit for a dog to eat, much less for a human being, but I have not seen any oleomargarine in that condition. I was sorry to hear the gentleman from Minnesota suggest a moment ago that he was in favor of the tax on oleomargarine because it was a fraud. I did not think the gentleman from Minnesota would be willing to tolerate a fraud for the sake of securing a tax.

Mr. TAWNEY. If the gentleman from Arkansas will pardon me, it was not because I was in favor of tolerating fraud that I favored the tax, but for the purpose of suppressing a fraud, a fraud that was being perpetrated on the consumers of butter.

Mr. MACON. If it is fraudulent, it ought to be legislated out of existence; no one ought to be allowed to manufacture it or deal in it in any way. I do not believe the gentleman from Minnesota was justified when he found it to be a fraud to attempt to tax it out of existence. My idea is that when you find a fraud, you should suppress it at once, and do it by the strong arm of the law, and not say virtually to it, "You can exist in this country, Mr. Fraud, if you will only pay a certain license fee for so doing."

Why, sirs, you never saw oleomargarine that was tainted with tuberculosis in your life. Yet we find butter upon almost every table in this day and generation that is tainted with that dread disease. If the gentleman from Kansas will stop and think for a moment and properly consider the great interests of these old soldiers, I am sure he would try to place upon every table in the soldiers' homes this pure vegetable product, one that would be wholesome and healthy to have, and not try to legislate it out of existence, and put in its stead poisonous butter that might cause them to contract a deadly disease that would soon send them to untimely graves.

Mr. ANTHONY. I would like to ask the gentleman from Arkansas if he uses oleomargarine on his table.

Mr. MACON. I have not had an opportunity for some time, but I would like to have a table with some of it spread on it right now. [Laughter.]

Mr. TAWNEY. Mr. Chairman, I move that all debate on the paragraph and pending amendment be now closed.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on the pending paragraph and amendment be closed.

The motion was agreed to.

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

The question was taken; and on a division (demanded by Mr. ANTHONY) there were 14 ayes and 17 nays.

So the amendment was lost.

Mr. SULZER. Mr. Chairman, this bill contains a provision appropriating an additional sum of $350,000 to continue the work of raising the battleship *Maine* in Habana Harbor. Heretofore $300,000 have been appropriated for this purpose, and we are informed the money carried in this bill for the purpose will complete the job and comply with the mandate of Congress. I hope this is so, and that the work of raising the *Maine* will soon be accomplished.

In my opinion it is a matter of congratulation among all patriotic people that at last the wreck of the ill-fated battleship *Maine* is to be raised. Thirteen years and more have come and gone since the *Maine* was blown up in the harbor of Habana. That catastrophe made history, wrote a large page in our annals, and changed the map of the world. But the *Maine* was apparently forgotten, and nothing was done by the Government in all these years to raise the wreck and bring home and bury, with naval honors, in Arlington Cemetery, the remains of the sixty-odd brave and gallant sailors entombed in that hulk in the muck and slime of the harbor of Habana.

The records in the Navy Department show that 231 men were killed when the *Maine* was blown up; that 24 bodies were immediately recovered and buried in Key West, Fla.; that later 144 bodies were recovered and buried in Habana; that these bodies were subsequently brought home and buried in the national cemetery at Arlington; that at least 63 bodies were never recovered or accounted for, and are now entombed in the wreck of the *Maine*. Our dereliction in this matter was in strange contrast to our boasted patriotism. The work must go on, and every patriotic man in America wants it finished as soon as possible.

There are three reasons why we should relax no effort to raise the wreck of the *Maine*. First, because the wreck is a menace to navigation in the harbor of Habana and must be removed from the channel. Secondly, the *Maine* must be raised to ascertain how she was destroyed, so that the truth shall be known beyond peradventure; and, thirdly and most important of all from a patriotic point of view, that the remains of the Nation's dead now entombed in the hulk shall be recovered and brought home for burial with naval honors in Arlington Cemetery.

Public sentiment has demanded for years that the wreck of the *Maine* be raised; that the truth of her destruction be told; that the derelict be removed from the channels of navigation; that the bodies of these brave sailors who sacrificed their lives on the altar of their country be recovered and decently interred in the national cemetery. When this additional appropriation is available, we are assured by the Army engineers that the work will diligently proceed to a final and successful completion; and to that end I favor appropriating this additional sum of money and trust no more funds will be required and no further delay tolerated.

Mr. Chairman, I now send to the Clerk's desk and ask to have read in my time and as a part of my remarks several letters from Maj. John F. O'Rourke, the eminent engineer and the president of the O'Rourke Engineering Construction Co., of New York, which will throw some light on the subject matter and show that if my suggestions had been followed in the first instance the work of raising the *Maine* would be finished ere this, and for a sum much less than now seems to be required by the Army engineers.

The Clerk read as follows:

O'ROURKE ENGINEERING CONSTRUCTION CO.,
345 Fifth Avenue, New York, July 26, 1910.

Hon. WILLIAM SULZER,
115 Broadway, New York City.

DEAR SIR: I had an interview yesterday at the War Department in Washington with the Hon. Robert Shaw Oliver, Acting Secretary of War, at which I submitted to Secretary Oliver plans showing my method for raising the *Maine*, together with a letter explaining the method in detail, and a proposition under which the O'Rourke Engineering Construction Co. would do the work. The following is a copy of this letter, which is dated July 23:

"I had the honor of writing you on July 5 in regard to a plan I have devised for the raising and docking of the *Maine*, and also inclosing a letter from Hon. George W. Wickersham, Attorney General, kindly presenting my project and myself to your consideration.

"I am now in a position to lay before you the manner in which my company is prepared to do this work, and discuss the question of arranging for having the work done, should you decide to raise the ship at this time.

"The method is as follows:

"To construct on both sides of the ship and about 20 feet therefrom, two ordinary wharves on piles, sink pneumatic caissons between the wharves and the ship to a depth of about 10 feet below the bottom of the *Maine*, these caissons to have cables on them every 4 feet; the cables opposite one another being of different sizes; in one case a plow-steel cable of about 200 tons capacity, and in the other a small hauling cable of perhaps ¾ inch diameter. These cables are then carried down outside the caissons from their tops to and underneath the cutting edges, the ends being coiled in the air chambers before the sinking is begun. A small pipe is pushed through the bottom from one air chamber to the other, and through this pipe the ends of the small cables are passed to the opposite air chamber, after which the pipe is pulled into that air chamber over the ends of the cables, leaving the latter lying exposed in the mud. The ends of the big cables opposite these little ones are then attached to the latter, which readily hauls them out from under the cutting edge, and under and around the *Maine* to the top of the opposite caisson.

"In this manner cables are passed underneath the ship every 4 feet from the top of one caisson to the top of the opposite caisson, the combined strength of the cables being four times the weight of the battleship.

"The air chambers are filled with sand, the wharves are carried over on top of the caissons, which are cut off to the proper level therefor, and then a strong framework is erected with double columns every 4 feet. This structure would be about 30 feet in height, strongly braced and guyed, and fitted at the tops of the posts with a casting connecting the posts and braces, and providing a seat with a universal joint for a screw jack of at least 100 tons capacity. The screws of the jacks end in a head like that of an eye-bar, and the clamps which grip the cable are finished in two similar eye-bar heads, giving a connection with the screws by means of a 3½-inch pin, which is over 100 tons in strength.

"When the framework is in place and the screw jacks are connected to the cables, a strong tension is taken in the cables with the jacks, and then water corresponding to the weight of the *Maine* is pumped from the cofferdams of the caissons. By this means the caissons are prepared to receive the weight of the *Maine* without imposing any additional weight on the mud bottom upon which the caissons rest. I might say that the caissons are made sufficiently large and strong to still contain 50 per cent more weight of water than the ship weighs, so that there is a margin of about 3,000 tons of water which can be drawn upon should occasion require. When the caissons are thus prepared for receiving the weight, the connection between the mud and the bottom of the ship is broken by any one of several well-known methods, after which, by a proper manipulation of the screws, the vessel is first brought to an even keel and then made level fore and aft.

"After the above work has been accomplished, the screws are gradually slacked off in pairs, fleeted down to their fullest extent, reclamped on the cables, after which the tension is restored and other screws are fleeted downward in like manner until all the screws have been lowered to their greatest extent, so that all of them are ready for a lift upward of about 10 feet. This part of the work is very safe and certain, because sufficient strength is provided to carry the *Maine* with one-half the cables and screws that are employed. The operation of fleeting the screws down and lifting the ship up is repeated again and again until the vessel is brought out of the water in the same condition in which she sank—that is, so far as any interference with her during these operations is concerned.

"A platform above water under the ship is then constructed between the caissons and a dry dock of ample strength and extent affords every facility for examination and repairs. In some respects this dock is superior to the ordinary lifting dock, because wherever a supporting cable may be in the way it can be slacked off and moved to some other

point, where it will perform its part in supporting the vessel just as well as where it belonged, instead of having fixed keel and bilge blocks to deal with.

"It will be noticed that in the process described there are no chances taken with any attempt to introduce something involving experiment; but, on the contrary, I have confined myself to things with which we have had great practical experience. The wharf building, the caisson sinking, the passing of pipes between air chambers, the raising of the cables underneath and around the ship, the construction of the lifting structure, and the fitting and operation of the screw jacks are all operations well understood, easily carried out, and independent of any questions of depth of mud or condition of the ship. The mud, however deep, does not complicate the question or add materially to the cost, and should there be obstructions at any point preventing the passage of the cable, tunneling to and removal of the obstruction is a simple matter. Damages to the ship, however great, would not prevent its being brought up intact because of the distribution of the weight and the flexibility, contiguity, as well as rigidity of the means employed.

"The method, however, is entirely novel, and the uses made of all the well-known operations employed are new.

"The plan of pumping water from the cofferdams of the caissons of a weight equivalent to that to be thereafter applied to them is a way of conducting operations over a mud bottom possessing no dependable supporting power, and deriving from the water pressure under the bottoms a support as efficient and reliable as solid rock.

"The whole plan is one of great simplicity, and though it perhaps would be better appreciated by an engineer than a layman, it is easily understood by everybody.

"In sinking caissons alongside of large buildings supported on quicksands the writer devised and patented a method of conducting the compressed air escaping from the air chamber up alongside the caisson on the side opposite the building, leaving the support of the latter entirely undisturbed. Some of the largest buildings in New York that are supported over spread foundations on quicksands have had caissons provided with this high cutting edge on the distant side of the caisson sunk alongside them without producing any settlement whatever. It is proposed to use this device on the caissons surrounding the *Maine*, so that the mud underneath the ship would remain undisturbed until the ship is carried on the cables. There are numerous other improvements in caisson work devised by the writer that would also be employed, so that the work would be carried on with entire safety, certainty, and speed, and the results sought would be obtained without question in the same manner that any other great engineering operation of the usual character would be carried out.

"In my letter to the Attorney General I stated that in disclosing this method I would expect to be protected. In dealing with your department I am satisfied that my rights will be as safe in your hands as if the patents now applied for had already been granted.

"It might appear at first that the appropriation made for this work is inadequate for the purpose, but I think that it is most likely that much of the Government's resources could be employed in addition to its money—for instance, one of the repair ships now in southern waters could be utilized for carrying the necessary plant and giving the required power, while there is nothing more appropriate than that one of the regiments of the Army should man the jacks while they are lifting their dead comrades out of the water. A fair idea of the power to be employed is given by the fact that these jacks require approximately 1,000 men. Should the Government care to thus utilize its present facilities and concede certain things the actual cost in cash would not be very great.

"The O'Rourke Engineering Construction Co., of which I am the president, would undertake this work and agree to deliver the ship in the dock already described within a period to be agreed upon. The company at the present time is fully equipped with the necessary plant, and has an organization of men of great experience in this character of work, who would be set to work as fast as the supplies required could be procured. We would also bear in mind that this operation would be watched by the whole world, and that not only the credit of the company but of the country itself was involved in the successful completion of this undertaking in a manner worthy of the occasion and in record time."

After some discussion of the matter in which I explained my plans, Secretary Oliver gave the plans and letter to Gen. Bixby, who will refer them to a board of engineers which will be shortly appointed to consider the subject.

During the interview Gen. Bixby showed me a copy of my letter to you of the 11th instant, in which I brought to your notice the fact that I had a method for raising the *Maine* along lines with which I am familiar, and concerning the efficiency, cost, and independence of local conditions, there is no question, so that if desired the work of raising the ship and docking her for examination and repairs could be begun at once.

Very truly, yours, JOHN F. O'ROURKE.

O'ROURKE ENGINEERING CONSTRUCTION CO.,
345 Fifth Avenue, New York, August 30, 1910.

Hon. WILLIAM SULZER,
115 Broadway, New York City.

MY DEAR SIR: I have just returned from the interview with President Taft at Beverly, which was arranged through your kindness.

The President was most cordial, and gave me an opportunity to fully explain my plans and propositions to him and also to Mr. Meyer, Secretary of the Navy, who happened to be calling on the President at the time. Mr. Taft gave most careful attention to the plans, which showed in detail the manner in which the work was to be done, and after a full discussion of the ways and means I made him the following proposition:

That the O'Rourke Engineering Construction Co. would agree to raise the *Maine* in the manner shown by the plans for a cost not to exceed $500,000 to the Government; any costs that might be incurred above that figure to be borne by the O'Rourke Co. Second, that we would consent to any form of contract which would insure to the Government that we would only be paid for the actual cost of the work, with no allowance for profit. Third, that no payment would be asked for until after the *Maine* had been raised out of the water, properly docked for examination and disposal, as shown by the plans.

The President seemed favorably impressed by my plans and by the offer to do the work, and invited me to come to Washington for another conference on the 25th of next month, when he expected to be there for a few days. There was a question in his mind in regard to whether he was authorized by the bill and the Government regulations to make such a contract, and told me that in the meantime he would read the bill himself, and also obtain from the Attorney General an opinion as to his powers in the matter.

He also wired Gen. Bixby in my presence, directing him to have a report by the 25th of September from the board of engineers who were considering the raising of the *Maine*, in regard to the conditions which they found in Habana Harbor.

I told him that my present information was sufficient to enable me to make a binding offer now, as the method which I was proposing to use was independent either of the character of the bottom or the condition of the *Maine*.

Since seeing the President I have decided to go to Habana next week, and will ask Col. Black, chairman of the board, for permission to take part with them in their investigations.

Very truly, yours, JOHN F. O'ROURKE.

O'ROURKE ENGINEERING CONSTRUCTION CO.,
345 Fifth Avenue, New York, September 21, 1910.

Hon. WILLIAM SULZER,
115 Broadway, New York City.

DEAR SIR: I returned yesterday from Habana, where I spent all of last week taking part in the borings and examinations which the Board of Engineers is now carrying on at the wreck of the *Maine*. I also talked with a number of people who were eyewitnesses of the explosion, so that I feel familiar with the conditions surrounding the loss of the ship and the nature of the bottom of the harbor where she now lies.

The first boring was made off the stern of the *Maine*, where the drill reached hard bottom at 105 feet below surface. There is 35 feet of water, then 30 feet of mud of practically no consistency whatever, after which it gradually grows harder, until at 85 feet down it is quite hard, and at 105 feet it is probably rock. The next boring was made off the bow, where the depth of water was just the same, but it was found to be about 90 feet below the surface before any degree of hardness was found in the bottom, and hard bottom was encountered at 118 feet down.

On Saturday morning, before sailing for home, I made a test, from the deck of the Government scow in the presence of the engineers, with my own hands, using a 1-inch pipe, which I readily pushed down 55 feet, at which point I could lift the pipe up and down unaided, showing that at that depth the bottom is nothing but mud. As this is the point at which I would stop my proposed caissons, it was very gratifying to find that the conditions were ideal for the method which I propose.

It is most likely that very little difference will be found in any of the future tests. It is quite possible that hard bottom may in some instances be found nearer the surface, but this would not alter the situation any as regards the use of a cofferdam, which is being discussed, because the governing factor in such a case is not the high points, but the low points; and a cofferdam that could be used there with success would have to be a very strong structure resting on hard bottom and possessing sufficient stability in itself to resist the tendency of the water and mud to overturn it, unaided by interior bracing, as the latter is impracticable. The expense of this method would be enormous, the time required would be very great, and its subsequent removal would be much more of an undertaking than the raising of the ship itself is now.

I have called the attention of the Board of Engineers to this fact, and I trust they will not be led into the adoption of any cofferdam method; or if they are, that they will make adequate plans for doing the work so that the disgrace of a failure may be avoided.

The relation of certain uninjured parts of the ship to high water was easily attained, and from the known dimensions, as given in the plans, I have been able to fix the position of the bottom of the ship as 48 feet below water. This, I understand, is 5 or 6 feet deeper than the ship was found to be sunk to at the time of the accident, and several men who work in boats around the harbor told me that she is sinking deeper year by year. The condition of the mud as described at 55 feet below the surface would indicate this to be true. Another evidence of the continual sinking of the ship is plainly shown in a comparison of the photographs made at the time of the accident and ones that I took myself last week.

I am going to Washington next Monday to meet the President, as arranged at Beverly. I hope to be able to place all these facts before him, as they correspond exactly with the conditions assumed in my interview with him last month and verify all that I said at that time.

Very truly, yours, JOHN F. O'ROURKE.

O'ROURKE ENGINEERING CONSTRUCTION CO.,
345 Fifth Avenue, New York, September 29, 1910.

Hon. WILLIAM SULZER,
115 Broadway, New York City.

DEAR SIR: I returned last night from Washington, where I expected to see President Taft by appointment, but found that his engagements did not permit of receiving me.

Had a couple of interviews, however, with Attorney General Wickersham, to whom I explained the situation at Habana, particularly the character of the bottom surrounding the *Maine*, which I told him was so soft as to entirely preclude the idea of using a cofferdam. Also made a sketch of the borings at the bow and stern of the *Maine* and showed him a sample of the material at 55 feet below the surface, which clearly indicates its light and unstable character.

I waited about two hours at the White House before Secretary Norton told me that the President would be unable to see me, and that he had left the matter in the hands of the Attorney General and the Board of Engineers of the War Department.

As the amount of the appropriation at present available for raising the *Maine* is $300,000, while waiting to see the President I prepared an offer, which I gave to Mr. Wickersham, who promised to show it to the President at luncheon, in which I proposed to build the temporary platforms, sink the caissons, and put all the cables in place under and around the ship, with the ends resting on the caissons on each side, for the lump sum of $290,000, it being understood that I would complete the remainder of the work and raise the *Maine* without waiting for a further appropriation, trusting to Congress to be paid later for doing the balance of the work.

I stated that if allowed to go on within a reasonable time from now with the work that I would guarantee to raise the ship out of the water on February 15 next, the thirteenth anniversary of its sinking. This I could easily do, because the amount of work involved is no greater than I have often done under conditions less favorable, and besides, there is nothing experimental about anything that is involved.

I stated, as a basis of future payments, that the remainder of the work, including the subsequent removal of platforms and caissons, would be done for the lump sum of $210,000, or, if preferred, for the net cost of materials and labor and prevailing rates for use of plant and equipment, the vessel to be raised from the water and turned over to the War

Department, as shown in the plans, ready for inspection and for repairs or dismemberment as might be subsequently decided.

I was a little disappointed at not seeing President Taft, as my understanding with him on August 29 at Beverly was that a conference would be arranged between himself and the Attorney General, the Secretary of War, and the Army engineers, at which I was also to be present. The question of authority for making the contract would be settled in the meantime, and I had been looking forward to making an immediate arrangement to raise the ship, according to some form of contract, which, as I have already told you, I left entirely to the President.

Very truly, yours, JOHN F. O'ROURKE.

O'ROURKE ENGINEERING CONSTRUCTION CO.,
345 Fifth Avenue, New York, February 15, 1911.

Hon. WILLIAM SULZER,
House of Representatives, Washington, D. C.

MY DEAR MR. SULZER: Apropos to the *Maine*, the New York Herald of September 26, 1910, the date on which I went to Washington to see the President, contained an interview with me in which I called attention to the impracticable character of the proposition to use a cofferdam in connection with the raising of the wreck. It was such a positive and unmistakable warning and so publicly given that the quoting of this in connection with the interview with Mr. Wickersham and the fatuous report of the engineers of a few days later make strikingly significant my letter describing the Washington trip.

The report of Gen. Bixby to the President, transmitting the report of the board of engineers and his, to me, preliminary estimate is just as silly as the plan he was indorsing, when you compare his promises with their performances. The work that they are doing at Habana now is of the simplest character, and the placing of steel sheet piling in such soft and comparatively uniform material is a most inexpensive operation when properly conducted. I imagine that they have involved themselves in all sorts of expense, keeping dredges on hand at a price of perhaps several hundred dollars per day, when, if they knew their business, they would obtain them after they had completed their cofferdam and were ready to put them into use.

The possible interference of wreckage from the explosion or anything in the nature of sunken obstacles in the way of the sheet piling could be better removed by some grappling contrivance than by a dredge, and the same machinery which handles the steam hammer used for driving the piles could be just as useful in operating a grapple.

I should be sorry not to see the appropriation they are looking for given them, because it would always be said that they failed for want of favorable congressional action, and if they are honest in thinking that they can do the work, as they are proposing to, it seems only fair, since the chance was accorded them, that they should be permitted to go on to the end.

There is no doubt, however, that in view of your connection with this raising of the *Maine* and the position you have already taken with the President in the matter, that the reading of my letters and the claim on your part that you had procured for the President an opportunity to have this work done under terms which did not admit of the loss of a dollar to the Government in the case of its failure and a saving of money to the Government in the case of its success, as well as the prompt execution of the work, should be strongly brought out.

To-day is the thirteenth anniversary of the sinking of the *Maine*, and if I had had my way to-day would have witnessed the raising of that ship from out of the water. There is so little imagination or appeal to the national pride in the plan that has been adopted that one can hardly dream that men having the authority vested in that board would be so shortsighted and narrow-minded as to refuse to approve of a plan like mine of such startling novelty and absolute certainty in execution.

The very conditions surrounding the *Maine*, while piling up almost unsurmountable difficulties against the construction of a safe cofferdam, actually facilitated the ease and success of my method, and nothing is less reasonable or could be more insincere than the ground taken by the engineers that the lifting of the wreck in a flexible cradle of cables would so deform its present shape that one could not tell if there had been an external explosion.

You might just as well claim that to take in your hand a battered tin can, that its weight upon your hand would cause the indentations to disappear, as to claim that a ship which is as strong in proportion to its weight as the tin can is in proportion to its weight, would likewise lose its indentations and have its shape changed by reason of resting upon a support as flexible and distributed over the whole area of the ship's bottom as the palm of your hand would be beneath the tin can which I am using as an illustration. This talk about the forward part of the ship being so thoroughly destroyed is without reason, because eyewitnesses, and even the testimony taken by the board of naval officers at the time of the disaster, shows that she remained afloat too long after the explosion to have been in any such condition. For the reduction of the forward third of the ship to a semidetached mass of wreckage, incapable of excluding water from within, would simply mean that that part of the ship was a dead weight, which would have pulled her down head first, like a dog with a stone tied to his neck, but even if it were true that the forward third of the ship is in this condition my cradle method would have brought it up without the bending of a single plate or the dislocation of any of its parts from the position they now occupy with relation to the rest of the ship.

As you may recall, my final proposition included the placing of cables every 2 feet apart, and the application of power independently to each cable, so that if it were found that any one cable was yielding to tension at a greater rate than its neighbors, that cable could have the tension applied to it reduced so as not to come up any faster than the others, and the strength of the cables were such that not more than one in every three need be strained at all, and those which were, were fully competent to do all the lifting required. Moreover, I put no limit on the number of cables that would be used, if desired; so that, even if they criticized my cable every 2 feet, I could put them much more frequently and arrange them in any manner that circumstances should require.

I do not know whether I have already informed you that I applied for a patent involving the principles devised for this work, but such was done, and the claims, in themselves most basic in nature, were allowed by the Patent Office without reference to any existing patent, publication, or known state of the art, which is perhaps the most striking testimony possible as to their originality, novelty, and invention.

As regards the granting of the appropriation, I sincerely trust this will be done, but at the same time I think the engineers should be required to give in detail the manner in which the first appropriation has been expended, and I think you will find that what I have said about useless dredges retained at great cost and other forms of mismanagement due to inexperience will be disclosed.

Most sincerely, yours, JOHN F. O'ROURKE.

The Clerk read as follows:

State or Territorial homes for disabled soldiers and sailors: For continuing aid to State or Territorial homes for the support of disabled volunteer soldiers, in conformity with the act approved August 27, 1888, including all classes of soldiers admissible to the National Home for Disabled Volunteer Soldiers, $1,200,000: *Provided*, That no part of this appropriation shall be apportioned to any State or Territorial home that maintains a bar or canteen where intoxicating liquors are sold: *Provided further*, That for any sum or sums collected in any manner from inmates of such State or Territorial homes to be used for the support of said homes a like amount shall be deducted from the aid herein provided for, but this proviso shall not apply to any State or Territorial home into which the wives or widows of soldiers are admitted and maintained.

Mr. COX of Ohio. Mr. Chairman, I would like to offer an amendment to line 11, page 134.

The Clerk read as follows:

On page 134, line 11, after the word "maintained," insert the words "or where oleomargarine is served."

Mr. FITZGERALD. I reserve a point of order on that that it is not germane.

Mr. COX of Ohio. Mr. Chairman, the statement was made in the matter of oleomargarine that no discrimination should be made between it and butter. It is apparent, however, that the gentleman from New York is seeking to make a discrimination between soldiers of the national military home and the soldiers now in the active service. When he was asked whether the soldiers in the Army were served with oleomargarine, he said he did not know. It is perfectly fair to assume that if he had any information in the negative he would have stated it. Now, if oleomargarine has all the healthful qualities claimed for it by my distinguished friend from Arkansas and my colleague from New York, I should like to inquire why they do not make a requisition on the gentleman in charge of the House restaurant for oleomargarine on the table in the House restaurant downstairs?

If it is not good enough for the Members of Congress to have served in the House restaurant, then why should it be given to the men who served the country in the days of darkness and uncertainty?

Mr. GARRETT. Will the gentleman permit a question?

Mr. COX of Ohio. Certainly.

Mr. GARRETT. The good quality of it would be better than the butter that they serve downstairs sometimes.

Mr. COX of Ohio. I think that butter comes from Tennessee. The truth is that there is absolutely nothing too good for these old men in the homes. I do not want to engage in any useless sentimentality, but the average age of these men is over 75. They are sitting there waiting for the setting sun, and they are entitled to the most wholesome food that can be purchased for them by this Government.

The kind of oleomargarine served them, with all the uncertainty as to its composition, is one of the jokes of the soldiers' homes. A wit in the Dayton Home very properly called it "bull butter." If it is not good enough for Members of this House nor for soldiers in the Army, it ought not to be served to the old veterans in the homes.

The Clerk read as follows:

Capitol power plant: For lighting the Capitol, Senate and House Office Buildings, and Congressional Library Building, and the grounds about the same, Botanic Garden, Senate stables and engine house, House stables, Maltby Building, and folding and storage rooms of the Senate; pay of superintendent of meters, at the rate of $1,600 per annum, who shall inspect all gas and electric meters of the Government in the District of Columbia without additional compensation; for necessary personal and other services; and for materials and labor in connection with the maintenance and operation of the heating, lighting, and power plant, and substations connected therewith, to be expended by the Superintendent of the Capitol Building and Grounds under the supervision and direction of the House Office Building Commission, $90,000: *Provided*, That hereafter the heating, lighting, and power plant constructed under the terms of the act approved April 28, 1904, shall be known as the Capitol power plant; and hereafter all vacancies occurring in the force operating said plant and the substations in connection therewith shall be filled by said superintendent with the approval of said House Office Building Commission.

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

The Clerk read as follows:

Page 137, lines 1 and 2 and line 9, strike out the words "House Office Building Commission," where they occur, and in lieu thereof insert the words "commission in control of the House Office Building, appointed under the act approved March 4, 1907."

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

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

The Clerk read as follows:

For chemical and physical researches relating to the geology of the United States, $20,000.

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

The Clerk read as follows:

Page 147, line 2, strike out the word "twenty" and insert "including researches with a view of determining geological conditions favorable to the presence of potash salts, 40."

Mr. TAWNEY. Mr. Chairman, on that I reserve the point of order.

Mr. MONDELL. Mr. Chairman, I think the amendment is not subject to the point of order. I think it is clearly in order. This is the paragraph providing for chemical and physical researches relating to the geology of the United States, and I propose to add $20,000 to the item, and provide that these researches shall include such as will afford information as to the geological conditions favorable to the occurrence of potash salts.

Mr. TAWNEY. Mr. Chairman, if the gentleman from Wyoming will permit, I am not opposed to the investigation which he authorizes by this amendment. What I am opposed to is authorizing two different departments of the Government to make the same investigation. I endeavored to keep out of the agricultural appropriation bill the sum of $12,000, which was carried for the purpose of making this investigation under the jurisdiction of the Agricultural Department. It has no business there. It is not one of the functions of the Agricultural Department to conduct geological researches of any kind, but the House did not agree with me.

The provision that passed the House, as I understand it, has been agreed to by the Senate. I think the Geological Survey is the bureau that ought to be clothed with the authority and given the appropriation for making this investigation. I do not think it is wise for us to have two departments of the Government investigating the same subject. Unless the gentleman will couple with his amendment a proviso that no moneys appropriated in any other appropriation bill for this investigation shall be available for that purpose I would have to insist upon the point of order. The investigation is one of the most important ones, I think, that Congress has ever authorized any bureau of the Government to make, and I do not think we ought to duplicate the service in this manner. There is another thing I want to call attention to, and that is that the Agricultural Department has no equipment. The Geological Survey is equipped for making this investigation, because it will require a drilling equipment. They are not going out through the country traveling over the desert and pick up these potash salts, but they have to conduct a series of drilling operations; and for that service the Geological Survey is now equipped and has a great many of these drills that they have used in the exploration and investigation of land for the purpose of ascertaining whether or not there are under the land mineral oils. If the gentleman would accept some provision of that kind that no other appropriation made in any other appropriation bill for this purpose shall be available, I shall not insist on the point of order.

Mr. MONDELL. Mr. Chairman, I have no objection personally to that, but I want to remind the gentleman that when the amendment was offered to the agricultural appropriation bill I called attention to the fact that it was a useless appropriation; that the only investigation that the Agricultural Department could carry on would be an investigation as to the possibility of the production of phosphate salts as a by-product.

Why, our grandmothers developed that line of investigation in the old days, when they used to put wood ashes in a barrel and leach them out and make homemade soap, and that is as far as that kind of an investigation can be carried to any useful purpose. The only extensive potash deposits known in the world now are in Germany.

Mr. FINLEY. I will state to the gentleman to-day I received a letter from a former constituent of mine who said that at Montague, N. Mex., there is a deposit of potash.

Mr. MONDELL. Mr. Chairman, there may be deposits of potash of which we know nothing, but the commercial potash of the world practically all comes from Germany, where it is found in extensive deposits of the salts laid down and then covered by an impervious layer of clay, and if potash is to be found anywhere else in the world in any great quantity it must be found practically under those conditions, for potash is a very soluble salts, and it is not found as the other salts are—in open spaces, in lake beds, and the like.

Mr. FINLEY. The gentleman has no information that there are not potash salt deposits in the arid countries such as New Mexico and Arizona.

Mr. MONDELL. Gentlemen connected with the Geological Survey believe there are in parts of Utah, Wyoming, Nevada, and elsewhere geological conditions that are favorable to the existence of valuable potash deposits.

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

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. MONDELL. Germany has the world by the throat in this matter of potash at this time. A short time ago the American users of potash for fertilizers, for soap, and for the cyanide treatment of ores, and other purposes, made very large contracts with certain German miners of potash, but that did not suit the German potash trust, and they were powerful enough and influential enough to have an export duty placed on potash, and the result is that the American users of potash are now paying a great tribute to the German trust. Practically all the potash of the world, of which we imported $12,000,000 worth last year, comes from these deposits.

Mr. GARRETT. Is the gentleman sure that figure is correct—$12,000,000?

Mr. MONDELL. I have the figures before me. In 1910 it was $12,716,000. Those were the imports for 1910.

Mr. GARRETT. I had an impression it was about $8,000,000.

Mr. MONDELL. I think these figures are correct. The increase in the use of potash is shown by the fact that in 1900 our imports were $5,750,000; in 1905, $8,922,000; and in 1910, $12,716,000, as I have just stated. It has increased at the rate of about 10 or 15 per cent a year, and we are dependent entirely on Germany for this mineral, and the deposits in Germany are controlled by a great trust that has recently advanced the price very considerably.

Mr. SIMS. The question I would like to ask the gentleman is this: Does the export duty have a tendency to reduce the price to the German consumer or to increase the price paid by people outside?

Mr. MONDELL. It increases it outside, because the German user of potash has a very great advantage over the potash user anywhere in the world——

Mr. SIMS. In other words, he gets it lower on account of the export duty?

Mr. TAWNEY. The export tax does not affect the local market in Germany at all.

Mr. SIMS. That is what I wanted to understand.

Mr. TAWNEY. There is no application whatever.

Mr. MONDELL. It affects them in this way: Our potash importations are of the crude potash, and the German manufacturer of potash secures the raw material very much more cheaply than our manufacturers, and that gives him an advantage. I think the increase is something like 20 to 25 per cent above what we paid for potash a year ago. The result is that fertilizers are costing much more.

Mr. KEIFER. More than double.

Mr. MONDELL. More than double, the gentleman tells us.

Mr. SIMS. We pay the export duty?

Mr. MONDELL. Yes, sir.

Mr. SIMS. Which does not reduce it at all.

Mr. BARTLETT of Georgia. Is it not a fact that the manufacturers and farmers of this country who have contracts with the producers of potash in Germany have had their contracts repudiated because of this recent imposition?

Mr. MONDELL. The German trust has been able to make it almost impossible for them to fill their contracts, because they have prorated the amount which can be mined at the various mines and have given the mines which were exporting to the United States but a small amount.

Mr. TAWNEY. I would ask the gentleman from Wyoming [Mr. MONDELL] to come to the practical question of whether we ought to carry it in two bills.

Mr. MONDELL. Mr. Chairman, I regret there is a $12,000 appropriation in the agricultural bill. It can be of little practical use, it seems to me. But we are now on the bill that ought to carry this appropriation. There is nothing more important before the American people to-day than an investigation of potash deposits, and we are on the appropriation bill where that expenditure can be properly provided for.

Mr. TAWNEY. But the House has said this investigation ought to be made in the Department of Agriculture.

Mr. STAFFORD. Was not a similar amendment proposed during the consideration of the agricultural appropriation bill?

Mr. MONDELL. Oh, yes; there was an appropriation of $12,000.

Mr. STAFFORD. Was not that proposed by the gentleman from Wyoming?

Mr. MONDELL. It was not. The gentleman from Wyoming opposed it on the ground that it was a useless expenditure of public money in an investigation that could lead to nothing, because the Agricultural Department could not make this geological investigation. They have not the information, they have not the equipment, and it is not within the proper field of their operation. However, I hope they may be able to spend that appropriation for some useful purpose, but I doubt it.

Mr. SMITH of Iowa. But they have the language in the bill.

Mr. MONDELL. Well, we will have the language in this bill if we adopt the amendment I offer.

Mr. TAWNEY. Mr. Speaker, I insist on the point of order. If the Chair holds the amendment is in order, I will move to amend.

The CHAIRMAN (Mr. MANN). The Chair will inquire of the gentleman from Minnesota if there is any direct or specific authority for the item in the original paragraph?

Mr. TAWNEY. The organic law creating the Geological Survey, back in 1878, specifically authorizes the work that is included in the paragraph that is proposed to be amended. I am free to say that I think this is a part of the work of the Geological Survey, but if the amendment is held to be in order and is to be adopted, I trust that some provision may be added somewhere, before it becomes a law, to prevent the expenditure of money appropriated in other departments that have no jurisdiction whatever over this subject, that have heretofore been made.

The CHAIRMAN. The Chair is prepared to rule.

Mr. LEVER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from South Carolina [Mr. LEVER] desire to be heard on the point of order?

Mr. LEVER. I would like to have the amendment reported again.

The CHAIRMAN. The Chair will report it in a moment. The paragraph in the bill to which the amendment is offered is:

For chemical and physical research relating to the geology of the United States, $20,000.

The gentleman from Wyoming [Mr. MONDELL] offers an amendment, so that the paragraph would read:

For chemical and physical researches relating to the geology of the United States, including researches with a view of determining geological conditions favorable to the presence of deposits of potash salts, $40,000.

There seems to be, so far as the Chair is informed, no specific authority for this paragraph in the language of the paragraph, at least. The paragraph provides for chemical and physical researches relating to the geology of the United States. That is a very much broader authority than is included in the amendment offered by the gentleman from Wyoming [Mr. MONDELL], and unoubtedly includes the authority to make researches with a view of determining geological conditions favorable to the presence of potash-salt deposits. And as to the item in the paragraph, whether it was or was not subject to a point of order, is now before the committee. No point of order having been made, the Chair is of the opinion that it is in order to direct special attention to something which is included within the scope of general language already in the bill, and the Chair therefore overrules the point of order.

Mr. KEIFER. Mr. Chairman, I would not take any of the time of the House at this hour of the evening, but for the fact that I have given some attention to this very question. Without being able to give from memory the exact figures, I think I can give them substantially aright. Our dealers in potash have been obliged, as has been stated by the gentleman from Wyoming, to go to Germany to make their contracts to purchase potash. Some months ago they went over there and made their contracts for potash to be shipped from that country, and agreed to pay, I would say, $18 per ton in the crude state. This price is according to my recollection now. They made these contracts in the last year and for a number of years' supply with a new company there that was not under the domination or control or ownership of the German authorities. Thereupon the German authorities succeeded in having put on the potash of that kind for export a tax of about $23 a ton, so that the price that was paid, including the export tax, brought the contract price up to $41 per ton or thereabouts. Now, the United States has not been idle in regard to this matter. Our Government sent representatives to Germany to see if we could not get that tax taken off, as it worked unjustly against our people. The contractors have hitherto paid the other company, according to my recollection, about $22 a ton, and there was then no export tax. It will be seen that we have a controversy going on with Germany at the present time as to whether or not they are discriminating against the United States.

Now, so much for that. This is a most important matter, a matter which I have taken up on my own account in the last few days. I have succeeded in getting a great salt company in the West to attempt to go through their present vein of rock salt and below it, with the expectation of finding potash there in paying quantities, as they find it in the mines of Germany. It is said that potash in desirable quantity lies below the formation of rock salt in a salt region, or below the place where we find salt brine. There is found in the State of Kansas the most remarkable rock-salt veins in the world, and there is every reason to believe, from my own personal knowledge and investigation and that of others, that there may be found potash there. There are at present in parts of Kansas rock salt veins 235 feet in thickness, and almost pure all the way through and below black sand rock. The general depth at which rock salt has there been struck is somewhere between 600 feet and 700 feet. I have no particular interest in this now, although I once had, but I have had influence enough with a salt company to induce it to undertake the discovery of potash suitable to be mined. I think the Government ought to do it. It is worth, as the gentleman from Wyoming has said, millions of dollars to this country, and it may cut off the possibility of the very trouble that now exists between this country and Germany, which would cut off the injustice that comes now to the consumers of potash in this country. Potash is in almost universal use in the United States for many purposes.

Instead of getting potash for about $4 per ton less than formerly, our importers are now obliged to pay for it nearly double the price they formerly paid, on account of the export tax that has been put on it by the German Empire. I hope the amendment will be agreed to.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment to the amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

After the word "dollars," in line 2, insert "and no other money appropriated in this or any other act shall be used for the objects of this appropriation during the fiscal year 1912."

Mr. LEVER. Mr. Chairman, I make the point of order on that.

Mr. TAWNEY. Mr. Chairman, that is a limitation upon any appropriation that may have been made in any other bill for this same service. I do not think it is subject to a point of order.

The CHAIRMAN. It seems to the Chair that the amendment offered by the gentleman from Minnesota is not a limitation upon the appropriations carried in this bill at all, and the Chair therefore sustains the point of order.

Mr. LEVER. Mr. Chairman——

The CHAIRMAN. The gentleman from South Carolina.

Mr. LEVER. I want to call the attention——

Mr. TAWNEY. Has the Chair ruled that the amendment is not in order?

The CHAIRMAN. The Chair so held.

Mr. TAWNEY. Then I move that all debate on the paragraph be now closed.

Mr. LEVER. O, Mr. Chairman, I have the floor. I do not think the gentleman from Minnesota can take me off the floor.

The CHAIRMAN. The gentleman from South Carolina was recognized before the motion was made.

Mr. LEVER. I want to call the attention of the committee to the fact that when the agricultural appropriation bill was under consideration a few days ago an amendment was inserted in that bill providing for explorations and investigations for the purpose of locating, if possible, potash and nitrate deposits in the United States. An appropriation of $12,500 for that purpose was provided. I read to the committee at that time a letter from the Chief of the Bureau of Soils, in which he made the statement that his bureau was well prepared to make these investigations, and that they can be made with the appropriation provided in that amendment.

Since that time I have received a letter from the Secretary of Agriculture, which I do not happen to have with me at this

time, saying that the department is well prepared to do this very work provided for in the amendment offered by the gentleman from Wyoming [Mr. MONDELL]. Now, it seems to me that this is too important a proposition for us to be working at cross purposes on it. I don't want any juggling about it.

Mr. TAWNEY. Will the gentleman from South Carolina permit an interruption?

Mr. LEVER. Yes.

Mr. TAWNEY. I presume you can get an admission from the Agricultural Department that they are qualified to run the Army and Navy as well as the Geological Survey.

Mr. LEVER. I presume that admission could be obtained from the Interior Department as well.

Mr. SHERLEY. That is true of all of them.

Mr. LEVER. And also the Geological Survey. Now, Mr. Chairman, the soil chemists of the Department of Agriculture assure me that they are prepared to make this investigation, and to make it with an appropriation far less than that provided for in the amendment of the gentleman from Wyoming [Mr. MONDELL]; and I do not see any reason why we should duplicate this work and provide that one department shall make it and that another department shall make it, with the result in the end that neither department will make it. I am afraid of the situation which the amendment now under discussion will bring about. It offers too good an opportunity for this whole undertaking to be defeated.

Mr. MONDELL. Does the Agricultural Department expect to get potash salts out of the soil? Is that where they expect to get them?

Mr. LEVER. The Department of Agriculture expects to make the chemical investigation. Their plan is not to make borings for potash salts, as the Geological Survey would do.

Mr. MONDELL. Then why does the gentleman oppose this amendment?

Mr. LEVER. The proposition of the Geological Survey to make borings will require, in my judgment, not only $20,000 but half a million dollars, and maybe much more; but the Department of Agriculture will make surface examinations, and from those surface examinations indicate to private individuals the fact that at certain places potash salts ought to be found, and let private individuals make the borings.

Mr. MONDELL. Are there any geologists in the Agricultural Department?

Mr. LEVER. Oh, I do not know; there are plenty of soil chemists there. Are there any soil chemists in the Geological Survey?

Mr. MONDELL. Does the gentleman know of any place on earth where potash is gotten out of the soil? Potash deposits lie hundreds of feet deep. How can you tell anything about a potash deposit by examining the surface of the soil?

Mr. LEVER. My information is that the top surface always indicates the presence of potash salts.

Mr. MONDELL. That is very extraordinary.

Mr. LEVER. And I understand that is the way that the Geological Survey finds out about the location of oil as well.

Mr. MARTIN of South Dakota. They might take a witch-hazel stick!

Mr. MONDELL. The gentleman from South Dakota [Mr. MARTIN] suggests that a witch-hazel stick might also be valuable, as well as soil analysis.

Mr. LEVER. Oh, well! I repeat, Mr. Chairman, that the Agricultural appropriation bill carries this authorization to do this work. The Senate Committee on Agriculture have reported the bill with this provision in it, and I see nothing in this amendment except the purpose to take from the Agricultural Department some authority and transfer it to the Geological Survey, and perhaps develop a situation which will cause the loss of both appropriations. This is too important a matter to take any chances on. I therefore appeal to my farmer friends to stand by the Agricultural Department, which already is practically assured of the authority to do this work.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. TAWNEY. Mr. Chairman, I move that all debate on this paragraph and amendment be now closed.

The motion was agreed to.

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

The question was taken; and on a division (demanded by Mr. MONDELL) there were 37 ayes and 36 nays.

So the amendment was agreed to.

The Clerk read as follows:

For the investigation as to the causes of mine explosions, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents and other inquiries and technologic investigations pertinent to the mining industry, $310,000.

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

The Clerk read as follows:

Page 148, line 14, strike out the word "ten" and insert the word "sixty," so that it will read "$360,000."

Mr. ENGLEBRIGHT. Mr. Chairman, the amendment I have offered increases the appropriation for the investigation of mine explosions and their causes from three hundred and ten to three hundred and sixty thousand dollars, being the amount estimated in the book of estimates for this work. The Bureau of Mines is comparatively a new institution, and has been doing good work in the investigation of mine explosions, mining accidents, and the various purposes for which it is established. The work is young, but it is very necessary that the work should be continued and to some extent enlarged. We have seen in the papers to-day some very serious accidents that have happened in the mines at Tonopah, Nev., a class of accidents that so far the Bureau of Mines has not had an opportunity to investigate; and in many ways, which it is not necessary for me to enlarge upon it is proper that this appropriation should be increased. I hope that the motion will pervail.

Mr. SMITH of Iowa. Mr. Chairman, the gentleman from California says that this service is young, and he might have added that it is very lusty. For in 1909 they expended $150,000 for this purpose. In 1910, $150,000. Last year, when the Bureau of Mines was organized, we raised it to $310,000, and now the gentleman is insisting that we raise it to $360,000. It is very young but growing handsomely.

Now, Mr. Chairman, there was no showing before the committee to warrant this enormous increase. The evidence shows that the work is not yet fully organized, that it is impossible to tell how much they need annually for this service, and it would be a gross waste of public money to grant the increase on the showing before the committee.

Mr. GOULDEN. Will the gentleman yield?

Mr. SMITH of Iowa. I will.

Mr. GOULDEN. What justification was there in the hearing for increasing the amount $160,000 over last year?

Mr. SMITH of Iowa. This was increased on the floor, as I remember it, for this new Bureau of Mines. Now, this force is not yet fully organized. There are no salaries yet fixed by Congress. They are proposing to fix some that seem to be very exorbitant and this has grown so vastly that it would be in my judgment a scandalous waste of public money to give this increase with no better showing than has been made before the committee.

Mr. GOULDEN. Have the results justified the expenditure of $150,000 a year?

Mr. SMITH of Iowa. I do not know of any results yet, but I am not blaming the bureau for that.

Mr. TAWNEY. Mr. Chairman, I want to state one reason why it was not reported at $360,000. At the time this appropriation was made at the last session, Members of the House will recollect the fact that the gentleman from Montana on the floor of the House, the House acting under the influence of sympathy for the miners who are destroyed and killed in mining accidents, increased the appropriation $100,000 here on the floor, on the statement that these branch stations were to be extended into the State of Montana and some other States.

Now, the fact is that instead of following the policy that was contemplated at that time the Bureau of Mines has adopted a different policy of furnishing relief in cases of accident and also of instructing miners and mine operators in the use of safety appliances. They have now a car, or several cars, and the railroad companies furnish free transportation for that car and all of the men who are engaged in the service. Consequently, the Bureau of Mines is doing a greater work to-day with far less money than it would have been possible to have done under the increased appropriation if the plan had proceeded of using the permanent relief stations, as I believe they were called, throughout the various mining States.

Mr. GOULDEN. I am very glad to hear the gentleman's explanation. It is entirely satisfactory to me.

Mr. TAWNEY. That is one of the reasons why the appropriation is not necessary this year.

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

Mr. MONDELL. Mr. Chairman, I wish to ask the chairman of the committee if he has information as to how much the bureau now owes on the cars that it has purchased. I understand that they have purchased equipment that is not all paid for. Is that true?

Mr. TAWNEY. I can not say that it is paid for. I think it is paid for or will be paid for out of the current appropriation.

Mr. SMITH of Iowa. They had no right to buy it without paying for it.

Mr. TAWNEY. I do not see how they could buy it without paying for it, but I want to say for the Bureau of Mines that this equipment has been purchased at a very low cost. These cars they purchased from the Pullman Co. in Chicago, and have been equipped, and if gentlemen will take the trouble to read the hearings, the testimony of Mr. Holmes, the chief of the bureau, they will see there exactly the amount paid for the cars and what it cost to equip them, how they are equipped, and everything about it. I know that the cost is very reasonable, and I was impressed with the fact that the price paid by the Government for these cars was comparatively small.

Mr. MONDELL. Mr. Chairman, I think we are all very much interested in this work, and I want to be very certain that the committee in cutting down the estimates has not cut them so low as to hamper this bureau in its work. It is doing a splendid work, a magnificent work. I think the change from the original plan of permanent stations to that of cars is very helpful and beneficial, very advantageous. These cars are purchased at low cost and they are equipped with rescue apparatus and are stationed at some mining center and moved from one mining camp to another, and the miners and operators are instructed in the use of safety appliances and in the method of the prevention of accidents. The mine operators of my own State are very greatly pleased with the work, and the work of the bureau has led to a very considerable expenditure by the mine operators themselves. I think there has been very much more spent by the operators themselves, through the influence of this bureau, than the bureau has expended.

Mr. SMITH of Iowa. I want to ask the gentleman if he does not think it a strange proposition for him to say that he wanted to be assured that the committee had not cut this too much in place of saying he wanted some assurance that they needed this increase?

Mr. MONDELL. I imagined that they had not asked for more than they needed.

Mr. SMITH of Iowa. Upon that assumption this bill would carry one hundred and fifty-five million. If we are to assume that in all cases anything these bureaus ask for they need, then, indeed, we are not going to be able to meet these expenses. Does not the gentleman think that there should be some showing that they need an increase before we give it to them?

Mr. MONDELL. I have been under the impression they need what they asked for, and I was anxious to know if the committee had gone into that very thoroughly and was sure the bureau would not be crippled.

Mr. SMITH of Iowa. They had an opportunity to show that they needed an increase and they did not do it.

Mr. MONDELL. That is, they did not do it to the satisfaction of the gentleman from Iowa.

Mr. SMITH of Iowa. And all the rest of the members of the committee.

Mr. TAWNEY. Oh, no; they do not want any more increase.

Mr. MONDELL. I want to emphasize the value of this work and the splendid way in which it is being carried on and the great benefit it is to the miners of the United States. I hope the committee has given the department all that it needs.

Mr. FITZGERALD. It has given more than it needs.

Mr. FOSTER of Illinois. Mr. Chairman, I just want to say a word with reference to the Bureau of Mines. This bureau, which has been established now about a year, has, to my mind, started on a great work. They have purchased at a very low price a few cars, which have been fitted especially for the work of going to the mines and instructing the miners and operators in the work of rescuing miners when accidents occur, and the best way to prevent these accidents.

They have established these stations in different places where these cars are located, and when necessary they are taken directly to the mine in order to help rescue those who may be entombed and who have met with these serious accidents. I observe the director of the bureau asked the committee for $360,000. The hearings show this.

This bureau is established not only for the rescue of those who may meet with accidents in mines, but for the prevention of accidents. It has much to do with the saving of life and to prevent the crippling of men. I do not want to see any money thrown away or to give any department more money than is needed, but in this kind of work I believe they should have sufficient money to carry on the operations they have started. [Applause.]

Mr. WILSON of Pennsylvania. Mr. Chairman, I hope that the amendment offered by the gentleman from California [Mr. ENGLEBRIGHT] will prevail. The gentleman from Iowa has said, and said correctly, that this bureau is a young bureau, but that it is a vigorous bureau. That is true. It is not yet thoroughly organized according to the statement made by the director himself. If this appropriation of $360,000 is not made, the bureau will be handicapped in completing its organization——

Mr. TAWNEY. Will the gentleman from Pennsylvania permit me to interrupt him there——

Mr. WILSON of Pennsylvania. Certainly.

Mr. TAWNEY. This $310,000 appropriation has nothing whatever to do with the organization of the Bureau of Mines.

Mr. WILSON of Pennsylvania. No; but it has to do with the work conducted by that organization.

Mr. TAWNEY. No; this is an appropriation that relates to the investigation of the causes of mine disasters.

Mr. WILSON of Pennsylvania. Exactly.

Mr. TAWNEY. And it is an appropriation from which all the paraphernalia and equipment is purchased for the work of instructing men and mine operatives regarding the use of safety appliances. Now, I just want to add this word. The appropriation was made at $360,000 a year ago by an amendment of $100,000, offered by the gentleman from Montana, upon the theory that it would be necessary to equip these permanent relief stations. Now, since then they have abandoned the policy of permanent relief stations and are pursuing a policy of portable stations in the form of cars, and therefore do not need for this purpose one-half the money that was given to them a year ago for the establishment of permanent relief stations.

Mr. WILSON of Pennsylvania. It is true that they have abandoned the idea of permanent relief stations.

Mr. TAWNEY. And therefore need less money.

Mr. WILSON of Pennsylvania. They have substituted therefor these cars with the equipment in these cars, and in doing so they have made these stations available for a larger territory and in a quicker time after an accident had occurred than otherwise would have been the case.

But that is only one part of the work of this bureau, the investigation of the causes of mine disasters; and the bureau, from this appropriation, has been conducting experiments and expects to conduct experiments with the dust to be found in the different coal mines when it comes up in the air; with the gases to be found in the mines, and with the introduction of electrical machinery and other matters of that kind; with the introduction of moisture and of shale dust, and other materials that are being experimented upon. They are being experimented on for the purpose of preventing these mine accidents. So far as the experiment in the cars themselves is concerned, that equipment is very useful, and has been found extremely useful when an accident has occurred, in that it enables expert workmen to get on the ground immediately and enter the mine with oxygen helmets and bring relief to the men when the accident has occurred. But the greater value of the bureau is the determining of the causes of these mine disasters so as to prevent them, and the bureau is working along those lines. It has done some very fine work in that direction, and this appropriation ought to be made at $360,000 instead of $310,000 to enable them to continue the work along the line; not merely of rescuing men after accidents have occurred, but to determine the cause, so that these accidents can be prevented in the future. I hope the amendment will prevail. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. ENGLEBRIGHT].

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

Mr. WILSON of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 21, noes 37.

So the amendment was rejected.

The Clerk read as follows:

Care and custody of the insane of Alaska: For the care and custody of persons legally adjudged insane in the District of Alaska, including transportation and other expenses, $50,000.

Mr. FOSTER of Illinois. Mr. Chairman, I move to strike out the last word.

Last year, I remember, we passed a bill in this House, which, I think, became a law, providing for suitable places for taking care of the insane in Alaska. I would like to inquire of the chairman of the committee if anything has been done toward the work of erecting those buildings and taking the proper care of these unfortunate people?

Mr. SMITH of Iowa. If the gentleman has such information, it has not come to me. This is done under a contract with continental United States. They are brought down here.

Mr. FOSTER of Illinois. Did we not pass a law last year with reference to the insane in Alaska?

Mr. SMITH of Iowa. I would not like to say we did not, if the gentleman says we did, but I have no recollection of it.

Mr. FOSTER of Illinois. I know we passed such a bill through the House.

Mr. COLE. It did not pass the Senate.

Mr. SMITH of Iowa. These are brought back here and taken care of under contract with the United States.

Mr. FOSTER of Illinois. My understanding is that the governor of Alaska kept them in the jail, where they could be taken care of by one set of guards. Has the gentleman any such information.

Mr. SMITH of Iowa. I can not deny anything the gentleman suggests, but I have no such information.

Mr. FOSTER of Illinois. I will ask the gentleman from New York [Mr. FITZGERALD] if he has any information in reference to the care of the insane in Alaska?

Mr. FITZGERALD. They are very adequately cared for under this appropriation in the United States, and they do not need the asylum in Alaska.

Mr. FOSTER of Illinois. What is done with them until they are brought to the United States?

Mr. FITZGERALD. As soon as they find them they bring them to the United States.

Mr. FOSTER of Illinois. I do not think the gentleman means that they are brought here immediately. They must be taken care of for awhile there.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSTER] has expired.

Mr. FOSTER of Illinois. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FITZGERALD. At the time the gentleman from Illinois and some others induced the House to pass this bill to provide an insane asylum or detention asylum, I think it was in Alaska, some very exaggerated statements were made as to the conditions under which the insane were temporarily detained there.

Mr. FOSTER of Illinois. It is a question whether that was exaggerated or not.

Mr. FITZGERALD. Of course, it is well known that these places in Alaska are not palaces, but so far as this committee has ever been informed——

Mr. COLE. Will the gentleman yield?

Mr. FITZGERALD. In just a moment.

Mr. COLE. The insane have been humanely cared for.

Mr. FOSTER of Illinois. They have been kept in jails in Alaska with the prisoners of Alaska.

Mr. FITZGERALD. Oh, well, I have known very estimable gentlemen who have been glad to obtain positions where they have charge of jails and live in jails, and have not found any particular fault as long as their salary was continued. A jail in itself is not an opprobious place, except when a person is compelled to live there against his will.

Mr. FOSTER of Illinois. That is the case with those people who are insane.

Mr. FITZGERALD. The insane, of course, are detained there, but they are detained in an asylum.

Mr. FOSTER of Illinois. No; they are detained in a jail.

Mr. FITZGERALD. I understand that the facilities there are as good as could reasonably be expected.

Mr. HOUSTON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Tennessee?

Mr. FOSTER of Illinois. Yes, sir.

Mr. HOUSTON. From the nature of the point that the gentleman raises, I take it that the provisions he refers to are those providing buildings for the care of the insane in Alaska which have not been completed yet. They are not in a position, as I understand, to care for them yet. The gentleman knows they are not in a position to care for them.

Mr. FOSTER of Illinois. I understand that nothing has been done. In fact, I understand they have not tried to do anything.

Mr. FITZGERALD. This appropriation is to provide for the care of the insane under a contract with the State of Washington. What the gentleman from Illinois [Mr. FOSTER] has been discussing is an appropriation of $25,000, if my recollection is correct, to build a small hospital or asylum where those persons who are found to be insane would be incarcerated until the time came when they could be sent to the United States. While that bill passed the House, I do not believe it passed the Senate.

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

Mr. HOUSTON. Mr. Chairman, I ask that the gentleman from Illinois have five minutes more. I want to make another suggestion.

The CHAIRMAN. The gentleman from Tennessee asks that the gentleman from Illinois [Mr. FOSTER] be allowed five minutes more. Is there objection? [After a pause.] The Chair hears none. The gentleman's time is extended for five minutes.

Mr. HOUSTON. I understand the gentleman says that nothing has been done to further the building of this institution. That being the case, some provision must be made to care for those people in the State of Washington, as has been done heretofore.

Mr. FOSTER of Illinois. My question is, What has been done with those people in Alaska, where we provided for an appropriation of $25,000 to put up a suitable building for them until they could be brought back to the States?

Mr. HOUSTON. The gentleman does not object to that?

Mr. FOSTER of Illinois. No. I understand those unfortunate people are still cared for in a jail, just as they have been all the time heretofore.

Mr. HOUSTON. I think the measure referred to by the gentleman from Illinois [Mr. FOSTER] and by the gentleman from New York [Mr. FITZGERALD] is a very wise and wholesome one and ought to be carried out.

Mr. COLE. Will the gentleman yield a moment?

Mr. FOSTER of Illinois. Yes; I shall be glad to yield to the gentleman.

Mr. COLE. This matter was before the Committee on Territories, of which the gentleman from Tennessee is a member, and of which also is the gentleman from Illinois a member. My recollection is that most of these unfortunate people in Alaska lost their mental faculties because they were in Alaska. We did not think it proper to retain them there, in the same climate that was responsible for their mental condition, and therefore we thought it best to bring them back to some institution in the States.

My recollection is—and it is just a little dim at the present time—that they are cared for in an institution in Portland, Oreg., which is conducted by an eminent doctor by the name of Coe, and my information is that it is one of the best institutions of its kind in the United States. My recollection is, further, that we were opposed at that time to the establishment of an insane hospital in Alaska for the reason that the climate there was not a proper climate for people afflicted in that way.

Mr. HOUSTON. We were in favor of establishing those hospitals, and they were established so far as the action of this House was concerned—that is, the House passed the measure but the Senate——

Mr. SMITH of Iowa. Mr. Chairman, I was perfectly willing that the gentleman from Ohio should make this statement, but there is nothing pending before the committee at all now.

Mr. FOSTER of Illinois. Mr. Chairman, I asked to strike out the last word, and I still have the floor on that proposition.

Mr. SMITH of Iowa. No. The gentleman has not got the floor. There is nothing now pending.

Mr. FOSTER of Illinois. I yield to my friend from New York [Mr. GOULDEN].

Mr. SMITH of Iowa. Mr. Chairman, I want to get ahead with this bill. There is nothing before the committee.

Mr. GOULDEN. Mr. Chairman, I should like to ask the gentleman from Illinois [Mr. FOSTER] whether that appropriation of $25,000 which passed the House last year became a law?

Mr. FOSTER of Illinois. I understand it did.

Mr. GOULDEN. I understand it did not. I understand the purpose of it was for a detention hospital, and the evidence produced before the committee of this House was certainly sufficient to justify the erection of such a detention hospital.

Mr. SMITH of Iowa. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is proceeding.

Mr. SMITH of Iowa. The time has long since been exhausted.

The CHAIRMAN. The gentleman from Iowa is mistaken. The time of the gentleman from Illinois [Mr. FOSTER] was extended five minutes, by unanimous consent, a few moments ago.

Mr. SMITH of Iowa. Has not that five minutes yet expired?

The CHAIRMAN. It has not expired.

Mr. SMITH of Iowa. I was sure it had expired.

The CHAIRMAN. It will not expire while the time of the gentleman from Illinios is taken with other matters.

Mr. GOULDEN. If the gentleman will permit me just a moment further, my impression is that that bill failed to become a law; but I heartily agree that a detention hospital in the District of Alaska is necessary if the evidence produced before this committee was true.

Mr. FOSTER of Illinois. I think the gentleman is entirely correct.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; for erection, repair, and rental of school buildings; for textbooks and industrial apparatus; for pay and necessary traveling expenses of general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $200,000; so much of which sum as may be necessary for the purchase of supplies shall be immediately available: *Provided*, That no person employed hereunder as special agent or inspector, or to perform any special or unusual duty in connection herewith, shall receive as compensation exceeding $200 per month, in addition to actual traveling expenses and per diem not exceeding $4 in lieu of subsistence, when absent on duty from his designated and actual post of duty: *Provided*, That of the sum hereby appropriated not exceeding $7,000 may be expended for personal services in the District of Columbia.

Mr. COOPER of Wisconsin. Mr. Chairman, what personal services are here referred to, under this appropriation of $7,000, which may be expended for that purpose in the District of Columbia?

Mr. SMITH of Iowa. Personal services in connection with matters in Alaska; for instance, the employment of teachers, and the like.

Mr. COOPER of Wisconsin. That is all done here?

Mr. SMITH of Iowa. All done here.

The Clerk read as follows:

Yosemite National Park, Cal.: For protection and improvement of the Yosemite National Park and the construction and repair of bridges, fences, and trails, and improvement of roads other than toll roads, $50,000.

Mr. ENGLEBRIGHT. Mr. Chairman, I desire to offer an amendment.

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

The Clerk read as follows:

Page 152, line 17, insert after the word "dollars" the words "to be immediately available."

Mr. STAFFORD. I reserve a point of order on that, Mr. Chairman.

Mr. ENGLEBRIGHT. I trust the chairman of the committee will not object to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] reserves a point of order on the amendment.

Mr. ENGLEBRIGHT. The object of this amendment is to make this money available earlier in the season. The season in Yosemite Park commences about the 1st of May, and the working season runs from about that time until some time in October. Work on the roads and in the park can be done to much better advantage early in the year than later, and if the appropriation is not available until the 1st of July the work runs so late that some of it has to be carried over, and so the work is divided.

Mr. SMITH of Iowa. It is with great pleasure that I assure the gentleman that if that is true this year, it was true last year, and they must have a lot of money left over from last year's appropriation to spend this spring.

Mr. ENGLEBRIGHT. Oh, they have not.

Mr. SMITH of Iowa. They must have, from the gentleman's assurance that the money can not be spent for work between July and October.

Mr. ENGLEBRIGHT. That is why we want to get the work started, so that it can be going on, and so that the money can be expended in work to be done by the first of November.

Mr. SMITH of Iowa. One of two things is true. Either they have plenty of money from last year's appropriation or else the gentleman is mistaken in saying that it can not be spent after the first of July.

Mr. ENGLEBRIGHT. Will you advise me how much they have on hand now?

Mr. SMITH of Iowa. I can not advise the gentleman, but I know that one of two things is true. Either the gentleman is in error in saying that they can not utilize the money between the first of July and the closing of the season, or else they have money left over, because they had as much money last year as they have this.

Mr. FITZGERALD. They had $12,000 more last year than this.

Mr. ENGLEBRIGHT. A good deal of this work will be done by contract, and if the whole thing is made available now, they can make contracts to better advantage.

Mr. STAFFORD. Has anyone in the department made the request that this money shall be made immediately available?

Mr. ENGLEBRIGHT. No; but I have some information about it.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment.

The question was taken, and the amendment was lost.

The Clerk read as follows:

Mount Rainier National Park, Wash.: For protection and improvement of Mount Rainier National Park, construction of bridges, fences, and trails, and improvement of roads, $3,000.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After the word "dollars," in line 8, page 154, insert "Wind Cave National Park, S. Dak.: For the improvement and protection of the Wind Cave National Park, $2,500."

Mr. MARTIN of South Dakota. Mr. Chairman, the Wind Cave National Park was created by an act of Congress in 1903 on the recommendation of the Secretary of the Interior calling attention to that great natural wonder and on a bill prepared in the Department of the Interior. The sum of $2,500 has been appropriated every year since for the maintenance and development of the cave and park. The same amount was carried in the estimates this year, but a clerk from the Interior Department seems to have been before the subcommittee on the subject of parks and in one sentence at the bottom of page 403 of the hearings testified before that committee that the Secretary of the Interior had recommended that the Wind Cave National Park and the Sullys Hill National Park, and the Platt National Park, of Oklahoma, should be ceded to the various States in which they are situated. He proceeds to give no testimony whatever on the Wind Cave National Park, but does give an account of a trip he made to Sullys Hill, in whatever State it may be situated—I have no knowledge—and recounts his difficulty in finding that park, and says it has no practical utility. He then proceeds to a somewhat similar discussion on the Platt National Park, of Oklahoma. The committee appears to have dropped out all three of the parks without any testimony of any value upon the Wind Cave National Park—none whatever except what I have referred to.

It certainly would be a mistake not to continue the appropriation for this park. It is situated in Custer County, S. Dak.

Mr. TAYLOR of Ohio. How do you get to the Wind Cave National Park?

Mr. MARTIN of South Dakota. Easiest thing in the world. If there is any impression such as the gentleman's question implies——

Mr. TAYLOR of Ohio. Not at all. I wanted to know how to get there.

Mr. MARTIN of South Dakota. It is situated 10 miles immediately north of Hot Springs, S. Dak. Hot Springs is on two great trunk lines, the Chicago & Northwestern and the Chicago, Burlington & Quincy. The park is reached by automobile lines every day. Hot Springs is where the national sanitarium for the national home is situated and where the State Soldiers' Home of South Dakota is situated. Wind Cave is within 40 or 45 minutes' run over a good road by automobile.

It was visited, as the returns showed, by 3,400 people last year.

Mr. TAYLOR of Ohio. What are the particular natural beauties that make it so wonderful?

Mr. ADAMSON. Hot air! [Laughter.]

Mr. MARTIN of South Dakota. The gentlemen here seem to have some merriment over a subject that has attracted the interest of sight-seers and those interested in great natural phenomena for many years.

Mr. Chairman, notwithstanding the late hour, I propose to call the attention of the committee to this curiosity. It is probably the largest known cavern in the world. It is supposed to be what has been left from the extinct geyser similar to those found in the Yellowstone National Park. A series of chambers extending over many miles with narrow passages between, and the expenditures by the Government for improvement have been mostly in making openings from one cavern to another. It has reserved 10,000 acres of the surrounding country for a park on the theory that the cave being so extensive it might be penetrated by private enterprise if the park was of a smaller area. I may say before the Government took over this natural curiosity speculators were making large incomes by charging $1 admission to this cavern on public land, and by taking out some of the most beautiful specimens and selling them. It was with a view of preserving its natural beauties in these large chambers and making it accessible to the people of the entire country that the Government reserved the area as a park.

[The time of Mr. MARTIN of South Dakota having expired, by unanimous consent he was granted five minutes more.]

I want the committee to clearly understand that whatever criticism has come upon this park in this proceeding has been because of the grouping of it with these apparently needless parks referred to in the bill. It is upon an entirely different basis, and I will call the attention of the committee to the first official utterance upon the subject in the record. This is in the statement of the Secretary of the Interior in his report of 1900:

The attention of the department was directed to what is known as the Wind Cave, in South Dakota, the entrance to which is in sec. 1, T. 6 S., R. 5 E., Black Hills meridian, about 12 miles southeast of the town of Custer, as being a cavern of considerable size and possessing wonders of such surpassing interest as that it should be set apart as a park or pleasuring ground for the people. An investigation of the cave was accordingly made by two geologists of the Geological Survey, and from their report, which is set forth more fully in the report of the Commissioner of the General Land Office, it appears that the cave is of large dimensions, of great interest and beauty, having many miles of galleries branching and reticulating along the joined planes of carbonaceous limestone, and numerous chambers with stalactitic and stalagmitic formations. Owing to the existence of a number of unperfected entries covering lands around the mouth of the cave, it would not be advisable at this time to have the same set apart as a national park. With a view, however, to future action by Congress in the premises, a temporary withdrawal has been made of the necessary lands subject to any and all valid rights acquired by virtue of existing entries.

The report of the Geological Survey referred to by the Secretary is here submitted:

"The Wind Cave was visited by two of the geologists of this survey in 1898, who spent several hours in examining its principal points. The cave is of great extent, having many miles of galleries branching and reticulating along the joint planes of the carboniferous limestone. There are numerous chambers of considerable size. There are the usual stalactitic and stalagmitic formations, some of very notable beauty, and much unique 'box work' of thin intersecting veins of carbonate of lime projecting from the walls and ceilings. Altogether the cave is regarded as one of great interest and beauty. It attracts a large number of visitors—over 1,000, it is said, in the summer of 1899. A fee of $1 is charged for admission to and guidance through the cave. This service appears to have been satisfactory.

"It is the opinion of this office that the cave is of sufficient extent and importance to be reserved as a national park."

On June 10, 1902, the honorable Secretary of the Interior addressed a communication to the chairman of the Committee on Public Lands of the Senate and House of Representatives, as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 10, 1902.

SIR: I have the honor to transmit herewith a copy of a letter of the 6th instant from the Commissioner of the General Land Office to the department, with its inclosures, among which is a draft of a proposed bill, prepared in his office on my direction, to set aside certain lands in South Dakota as a public park, to be known as Wind Cave National Park, which contains caverns, chambers, and natural formations of extreme beauty and of most wonderful character.

The letter of the commissioner sets forth the extreme desirability of the creation of the park and of its preservation from spoliation, and he has recommended therein that every effort be made to secure favorable action on the bill during the present session of the Congress.

I concur in the views of the commissioner, and recommend that the bill be enacted into law at the earliest possible date.

I have addressed a like communication to the chairman of the Committee on the Public Lands, House of Representatives.

Very respectfully, E. A. HITCHCOCK, *Secretary.*

This bill became a law in January, 1903.

Mr. TAYLOR of Ohio. The gentleman's amendment provides for $2,500.

Mr. MARTIN of South Dakota. I simply restore the item that is carried every year.

Mr. TAYLOR of Ohio. Will the gentleman tell me how much of that is used for salaries of persons to look after this cave?

Mr. MARTIN of South Dakota. Nine hundred dollars per year is used for the superintendent of the cave.

Mr. TAYLOR of Ohio. How much for other salaries?

Mr. MARTIN of South Dakota. No other salaries whatever.

Mr. TAYLOR of Ohio. What is the balance used for?

Mr. MARTIN of South Dakota. The balance of the estimate for this year is $700 for the building of a barn for the superintendent's horses and other animals.

Mr. TAYLOR of Ohio. Why does he need a horse in a cave? [Laughter.]

Mr. MARTIN of South Dakota. He does not keep his horse in the cave.

Mr. TAYLOR of Ohio. I speak seriously, and what I am getting at is how much is needed to keep the natural beauty of the place and how much for the superintendent and the horses and the barns, and so on.

Mr. MARTIN of South Dakota. Nine hundred dollars per year is used for the superintendent's salary, and the balance is used for the further exploration and opening up of new caverns, for the building and protecting of roads, and the maintenance of buildings on the place. There is a public stopping place at the mouth of the cave, a house over the entrance way, then there is a superintendent's house, and some thousand or two acres under fences, and all that is maintained from year to year.

Mr. TAYLOR of Ohio. Do I understand the superintendent receives $900, and has a house and a barn and horses to run that cave with? Is that the cost?

Mr. MARTIN of South Dakota. It is the smallest appropriation I believe that is carried for the maintenance of any national park.

Mr. HUGHES of New Jersey. Will the gentleman yield for a question?

Mr. MARTIN of South Dakota. Yes.

Mr. HUGHES of New Jersey. Does this cave produce anything else but wind? [Laughter.]

Mr. MARTIN of South Dakota. It produces something of interest to the public, that is all. I may say, Mr. Chairman, the record as put in here from the Interior Department shows that 3,400 visitors registered at that place during the past year. Of course that is not a large number of visitors in comparison with the Yellowstone Park or the Yosemite, but still if you consider that everyone who goes there comes from some distance to witness this natural curiosity, and the fact that the season when it is mostly visited is not to exceed six months of the year, it means 20 people every day for the season, Sundays included. Before the Government made it a national park its beauties were being despoiled, and as I say, when it became a national park it was by virtue of the action of the department itself in transmitting to this House in June, 1902, a bill prepared by the department, and asking its passage.

Now, something ought to be done to continue the preservation of this natural curiosity. No proposition has been worked out to cede this land to the State. If it were to be closed, it would be again despoiled as it was before.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. MARTIN of South Dakota) there were—ayes 20, noes 38.

Mr. MARTIN of South Dakota. Mr. Chairman, I call for tellers.

The CHAIRMAN. Three gentlemen have arisen, not a sufficient number, and tellers are refused.

So the amendment was rejected.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After line 8, on page 154, insert the following paragraph:

"Platt National Park: For maintenance and protection of Platt National Park, to be expended under the direction of the Secretary of the Interior, $5,000."

Mr. FERRIS. Mr. Chairman and gentlemen of the committee, my amendment should be adopted. It is right. It is but common justice. The fate of my predecessor does not afford me any flowery beds of ease or allow my hopes to reach any

great proportions, but the facts, gentlemen, tersely stated, are these: In 1902 the Government of the United States purchased 640 acres of land from the Choctaws and Chickasaws, a portion of which was at that time covered by the beautiful city of Sulphur. They converted that into a national park, erected bridges and piped the streams, and erected bathhouses and beautified the springs, and beautified scenery there. The springs are bromide and sulphur and have great mineral properties in them beyond all question. It is the only park within our State. The land was paid for by the Government. Later on in 1904 the Government purchased 208 acres more, paying $60 an acre for that, annexing it to the park. They have removed brick buildings and hotels and other buildings and forced men to abandon their homes and forced families to be ejected from the land condemned and ousted them in order to create this park. The park is very much sought after by both the Indians and white people of our State, and it does not cost but a very small amount to maintain the park. The Government has paid a large amount for it, and the people of the State are not able to maintain it and appropriate for it while the State is new.

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

Mr. FERRIS. I will.

Mr. FITZGERALD. Is this a very valuable park?

Mr. FERRIS. Yes; it is. I am proud of it. It means much to our State. The water has great mineral properties and there can be no doubt about it. It is naturally a beautiful spot. It should be appropriated for. My amendment should be adopted.

Mr. FITZGERALD. Can the gentleman estimate its value?

Mr. FERRIS. We can but partially judge by what the Government paid for it, for it has great mineral properties in the water. The acreage value is but a small part of it.

Mr. FITZGERALD. What did the Government pay?

Mr. FERRIS. The Government paid $20 an acre for the first 640 acres in its wild state, and for the last 208 they paid $60 an acre, and they removed brick buildings and one very large hotel I have in mind and numerous residences. They had to pay for them also.

Mr. FITZGERALD. The gentleman remembers last session the committee reported a provision donating this park to your State.

Mr. SMITH of Iowa. And you did not want to take it.

Mr. FITZGERALD. And you declined to accept it.

Mr. FERRIS. The gentleman speaks the entire truth about that. My State has been admitted for four years, and any new State has many hardships to undergo and has many burdens to bear, but for the Government to come and crowd these people out of their homes and take this land away from them and create a national park I think it is hardly well taken or generous or liberal or even bordering on justice for the United States Government to come and say, while the State is new and struggling and trying to get a start, "We will dump this expense upon Oklahoma."

Mr. SMITH of Iowa. Was not there a solemn contract with the Indians at the time the park was created?

Mr. FERRIS. Now, I was going to speak of that. I know the kind of provision the gentleman is referring to, but by three or four distinct positive legislative enactments the United States Government has completely taken full jurisdiction of the park, which, in effect, fully repeals the provision of recession to the State.

Mr. SMITH of Iowa. It always had jurisdiction of the park.

Mr. FERRIS. And in the enabling act it is expressly stated, in regard to the question of jurisdiction, that no ownership and jurisdiction shall remain in the State. They then waived their right to recede this park to the State.

Mr. SMITH of Iowa. We do not deny we have jurisdiction if we want to hold it, but did not we make a treaty with the Indians by which we created this park, and was it not provided in that treaty that upon the organization of the State government that this park should be ceded to the State?

Mr. FERRIS. You did not make any treaty at all. You passed an act of Congress with a proviso on the end of it reciting approximately what the gentleman says, and in three distinct enactments since that time you have overturned that and repealed it.

Mr. SMITH of Iowa. Not at all.

Mr. FERRIS. And so what the gentleman from Iowa says is absolutely of no consequence. [Laughter.] Mr. Chairman, I do not mean to be disrespectful; I do not mean to treat the gentleman's statement lightly; but I hold in my hand the three acts which absolutely repeal the act the gentleman relies upon.

Mr. SMITH of Iowa. The gentleman will pardon me.

Mr. FERRIS. While I may have been extravagant in my statement about the gentleman's remarks, I feel sure I was in all things correct in what I stated.

Mr. SMITH of Iowa. I have the acts, and I do not agree with him as to repealing the acts at all.

Mr. FERRIS. If I had the time I could present them; I will present them later so the House can ascertain that I am correct.

It is contended by the gentleman from Iowa and, in fact, the whole Committee on Appropriations, that the original grant makes a recession of the park imperative.

I deny it, and submit to you the law on the subject that conclusively shows that while the original grant makes such reference of recession to the State upon admission into the Union, still the following acts of Congress, which I am submitting here at length, conclusively show complete repeal of that provision:

LAWS AND REGULATIONS RELATING TO PLATT NATIONAL PARK, OKLA.

[Extract from act of July 1, 1902 (32 Stat., 641, 655).]

An act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes.

Be it enacted, etc., That the following agreement, made by the Commission to the Five Civilized Tribes with the commissions representing the Choctaw and Chickasaw Tribes of Indians on the 21st day of March, 1902, be, and the same is hereby, ratified and confirmed, to wit:

* * * * * * *

64. The two tribes hereby absolutely and unqualifiedly relinquish, cede, and convey unto the United States a tract or tracts of land at and in the vicinity of the village of Sulphur, in the Chickasaw Nation, of not exceeding 640 acres, to be selected, under the direction of the Secretary of the Interior, within four months after the final ratification of this agreement, and to embrace all the natural springs in and about said village and so much of Sulphur Creek, Rock Creek, Buckhorn Creek, and the lands adjacent to said natural springs and creeks as may be deemed necessary by the Secretary of the Interior for the proper utilization and control of said springs and the waters of said creeks, which lands shall be so selected as to cause the least interference with the contemplated town site at that place consistent with the purposes for which said cession is made, and when selected the ceded lands shall be held, owned, and controlled by the United States absolutely and without any restriction, save that no part thereof shall be platted or disposed of for town-site purposes during the existence of the two tribal governments. Such other lands as may be embraced in a town site at that point shall be disposed of in the manner provided in the Atoka agreement for the disposition of town sites. Within 90 days after the selection of the lands so ceded there shall be deposited in the Treasury of the United States, to the credit of the two tribes, from the unappropriated public moneys of the United States $20 per acre for each acre so selected, which shall be in full compensation for the lands so ceded, and such moneys shall, upon the dissolution of the tribal governments, be divided per capita among the members of the tribes, freedmen excepted, as are other funds of the tribes. All improvements upon the lands so selected which were lawfully there at the time of the ratification of this agreement by Congress shall be appraised, under the direction of the Secretary of the Interior, at the true value thereof at the time of the selection of said lands, and shall be paid for by warrants drawn by the Secretary of the Interior upon the Treasurer of the United States. Until otherwise provided by law the Secretary of the Interior may, under rules prescribed for that purpose, regulate and control the use of the water of said springs and creeks and the temporary use and occupation of the lands so ceded. No person shall occupy any portion of the lands so ceded, or carry on any business thereon, except as provided in said rules, and until otherwise provided by Congress the laws of the United States relating to the introduction, possession, sale, and giving away of liquors or intoxicants of any kind within the Indian country or Indian reservations shall be applicable to the lands so ceded [see section 2139 U. S. Revised Statutes, as amended by the act of July 23, 1892 (27 Stat. L., 260), and the act of January 30, 1897 (27 Stat. L., 506), in relation to introduction and sale of liquors in the Indian country. See also act of May 2, 1890 (26 Stat. L., 81, 97), and section 8 of act of March 1, 1895 (28 Stat. L., 693)], and said lands shall remain within the jurisdiction of the United States court for the southern district of Indian Territory: *Provided, however*, That nothing contained in this section shall be construed or held to commit the Government of the United States to any expenditure of money upon said lands or the improvements thereof, except as provided herein, it being the intention of this provision that in the future the lands and improvements herein mentioned shall be conveyed by the United States to such territorial or State organization as may exist at the time when such conveyance is made.

[Extract from the Indian Department appropriation act of April 21, 1904 (33 Stat., 220).]

SEC. 18. That the Secretary of the Interior is hereby authorized and directed to withhold from sale or other disposition the irregular tract of land containing seventy-eight and sixty-eight one-hundredths acres, more or less, lying in the northwest quarter of section 2 and the northeast quarter of section 3, township 1 south, range 3 east, and being within the exterior boundaries of the proposed town site of Sulphur, in the Chickasaw Nation, Indian Territory, and excluded from said town site by order of the Secretary of the Interior, of October 20, 1903, and also to withdraw and withhold from disposition the tract of land within the exterior boundaries of said proposed town site, lying south of and adjacent to the tract above mentioned, containing in the aggregate 138 acres, more or less, and mentioned in the report of Gerard H. Matthes, of December 27, 1903, to F. H. Newell, Chief Engineer United States Geological Survey, and shown upon the map accompanying said report by a yellow line.

The land hereby reserved shall be paid for by the United States at the rate of $60 per acre and in the same manner as the land acquired in accordance with paragraph 64 of the act of Congress approved July 1, 1902, entitled "An act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," and

such money as may be necessary to carry out this provision is hereby appropriated, from any money in the United States Treasury not otherwise appropriated, and made immediately available.

All improvements upon said land, at the passage of this act, shall be appraised and paid for as provided in said paragraph 64 of the act of July 1, 1902.

The land hereby reserved shall, immediately upon payment therefor by the United States, be and become a part of the reservation heretofore established at the said village of Sulphur, and shall be subject to all the provisions of said section 64 of the act of July 1, 1902, respecting the care, control, direction, use, and occupancy thereof, as if they had been included in the original segregation: *Provided*, That the Secretary of the Interior is hereby authorized, in the absence of other provisions for the care and management thereof, to designate an officer or employee of his department to take charge of the land, whether acquired under said section 64 of the act of July 1, 1902, or under this act, and to enforce rules and regulations for the control and use thereof, and of the waters of the springs and creeks within the reservation: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion, to sell or dispose of any buildings upon the land hereby reserved and upon the land originally reserved, and all money received from such sales, as well as all money heretofore received or that may hereafter be realized for the use of said waters or for the use and occupancy of the land or the buildings thereon, through leases, permits, or otherwise, may be expended under the direction of the Secretary of the Interior for the care and management of said lands and the preservation of the improvements thereon: *And provided further*, That if any person, firm, or corporation shall willfully violate any of the rules and regulations prescribed by the Secretary of the Interior relative to the use of the waters of said springs and creeks and the use and occupation of the lands in said reservation, such person, firm, corporation, or members or agents therof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than $5 and not more than $100, and may be imprisoned for a term of not more than six months for each offense.

The Secretary of the Interior is hereby directed to appraise, at their actual value at the time of such appraisement, all town lots held by citizens of the United States within the limits of the tract of land ceded to the United States by the Choctaw and Chickasaw Nations, at or near Sulphur Springs, in the Chickasaw Nation, Ind. T., and pay for the same to such lot holders severally, or to their legal representatives, the appraised value of such lots by warrants drawn by the Secretary of the Interior upon the Treasurer of the United States; and the amount necessary to pay the same is hereby appropriated from any money in the Treasury not otherwise appropriated. The foregoing appraisal of lots shall be completed within three months from the passage of this act.

[Extracts from the act of June 16, 1906 (34 Stat., 267).]

An act to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government, etc.

SALE, ETC., OF INTOXICATING LIQUORS.

SEC. 3. (The above provision was incorporated into the State constitution of Oklahoma, adopted July 16, 1907, as art. 1, sec. 7.) * * * And said convention shall provide in said constitution— * * * Second. That the manufacture, sale, barter, giving away, or otherwise furnishing, except as hereinafter provided, of intoxicating liquors within those parts of said State now known as the Indian Territory and the Osage Indian Reservation and within any other parts of said State which existed as Indian reservations on the 1st day of January, 1906, is prohibited for a period of 21 years from the date of the admission of said State into the Union, and thereafter until the people of said State shall otherwise provide by amendment of said constitution and proper State legislation. Any person, individual or corporate, who shall manufacture, sell, barter, give away, or otherwise furnish any intoxicating liquor of any kind, including beer, ale, and wine, contrary to the provisions of this section, or who shall, within the above-described portions of said State, advertise for sale or solicit the purchase of any such liquors, or who shall ship or in any way convey such liquors from other parts of said State into the portions hereinbefore described, shall be punished, on conviction thereof, by fine not less than $50 and by imprisonment not less than 30 days for each offense: *Provided*, That the legislature may provide by law for one agency under the supervision of said State in each incorporated town of not less than 2,000 population in the portions of said State hereinbefore described; and if there be no incorporated town of 2,000 population in any county in said portions of said State, such county shall be entitled to have one such agency, for the sale of such liquors for medicinal purposes; and for the sale, for industrial purposes, of alcohol which shall have been denaturized by some process approved by the United States Commissioner of Internal Revenue; and for the sale of alcohol for scientific purposes to such scientific institutions, universities, and colleges as are authorized to procure the same free of tax under the laws of the United States; and for the sale of such liquors to any apothecary who shall have executed an approved bond, in a sum not less than $1,000, conditioned that none of such liquors shall be used or disposed of for any purpose other than in the compounding of prescriptions or other medicines, the sale of which would not subject him to the payment of the special tax required of liquor dealers by the United States, and the payment of such special tax by any person within the parts of said State hereinabove defined shall constitute prima facie evidence of his intention to violate the provisions of this section. No sale shall be made except upon the sworn statement of the applicant in writing setting forth the purpose for which the liquor is to be used, and no sale shall be made for medicinal purposes except sale to apothecaries as hereinabove provided unless such statement shall be accompanied by a bona fide prescription signed by a regular practicing physician, which prescription shall not be filled more than once. Each sale shall be duly registered, and the register thereof, together with the affidavits and prescriptions pertaining thereto, shall be open to inspection by any officer or citizen of said State at all times during business hours. Any person who shall knowingly make a false affidavit for the purpose aforesaid shall be deemed guilty of perjury. Any physician who shall prescribe any such liquor, except for treatment of disease which after his own personal diagnosis he shall deem to require such treatment, shall, upon conviction thereof, be punished for each offense by fine of not less than $200 or by imprisonment for not less than 30 days, or by both such fine and imprisonment; and any person connected with any such agency who shall be convicted of making any sale or other disposition of liquor contrary to these provisions shall be punished by imprisonment for not less than one year and one day. Upon the admission of said State into the Union these provisions shall be immediately enforceable in the courts of said State.

RETENTION OF FEDERAL JURISDICTION.

SEC. 7. (The above provision was substantially covered by the State constitution of Oklahoma, adopted July 16, 1907, as art. 1, sec. 3.) * * * *Provided*, That nothing in this act contained shall repeal or affect any act of Congress relating to the Sulphur Springs Reservation as now defined or as may be hereafter defined or extended, or the power of the United States over it or any other lands embraced in the State hereafter set aside by Congress as a national park, game preserve, or for the preservation of objects of archæological or ethnological interest; and nothing contained in this act shall interfere with the rights and ownership of the United States in any land hereafter set aside by Congress as national park, game preserve, or other reservation, or in the said Sulphur Springs Reservation, as it now is or may be hereafter defined or extended by law; but exclusive legislation, in all cases whatsoever, shall be exercised by the United States, which shall have exclusive control and jurisdiction over the same; but nothing in this proviso contained shall be construed to prevent the service within said Sulphur Springs Reservation or national parks, game preserves, and other reservations hereafter established by law, of civil and criminal processes lawfully issued by the authority of said State, and said State shall not be entitled to select indemnity school lands for the thirteenth, sixteenth, thirty-third, and thirty-sixth sections that may be embraced within the metes and bounds of the national park, game preserve, and other reservation or the said Sulphur Springs Reservation, as now defined or may be hereafter defined.

LAWS OF TERRITORY OF OKLAHOMA EXTENDED OVER STATE.

SEC. 13. (The above provision was substantially covered by the State constitution of Oklahoma, adopted July 16, 1907, as art. 24, sec. 2, under the head of Schedule.) * * * and that the laws in force in the Territory of Oklahoma, as far as applicable, shall extend over and apply to said State until changed by the legislature thereof.

[Joint resolution of June 29, 1906 (34 Stat., 837).]

Joint resolution directing that the Sulphur Springs Reservation be named and hereafter called the "Platt National Park."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to change the name of the Sulphur Springs Reservation, an Indian reservation now in the State of Oklahoma, formerly in the Indian Territory, so that said reservation shall be named and hereafter called the "Platt National Park," in honor of Orville Hitchcock Platt, late and for 26 years a Senator from the State of Connecticut and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and to the country.

RULES AND REGULATIONS.

[Regulations of June 10, 1908.]

Pursuant to the authority conferred by the acts of Congress approved July 1, 1902 (32 Stat., 656), April 21, 1904 (33 Stat., 220), and the Oklahoma statehood act of June 16, 1906 (34 Stat., 272), the following rules and regulations for the government of the Platt National Park (formerly Sulphur Springs Reservation), in Oklahoma, are hereby established and made public:

1. It is forbidden to injure in any manner any of the springs, mineral deposits, or natural features within the park.

2. It is forbidden to cut or injure any timber or plants growing on the park lands or to deface or injure any Government property.

3. No camping shall be permitted within 1,000 feet of any spring, nor upon any land except such as may be specifically designated for that purpose by the superintendent. Fires shall not be lighted except by the express permission of the superintendent; when so allowed, campers shall use only dead or fallen timber for fuel, and the utmost care must be exercised at all times to avoid setting fire to the timber and grass.

4. It is forbidden for any person to deposit garbage or refuse upon the park lands, except at places designated for that purpose by the superintendent, or to contaminate any of the springs or streams therein, or to divert or conduct the waters of such springs or streams from the natural or regular course.

5. No person shall remove from any of the bromide, iron, or soda springs more than 1 gallon of water in any one day, nor remove from any of the other springs more than 5 gallons in any one day, nor shall any water be taken therefrom for commercial purposes, except in pursuance of a license issued by the Secretary of the Interior. Whenever in his judgment the circumstances warrant, the superintendent may prohibit the use of the waters of any of the springs in the park other than for immediate drinking purposes at such springs, the facts in such case to be reported to the Secretary of the Interior.

6. Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to the order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person or persons violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

7. Fishing with nets, seines, traps, or by the use of drugs or explosives, or in any other way than with hook and line, is prohibited. Fishing for purposes of merchandise or profit is forbidden. Fishing may be prohibited by order of the superintendent in any of the waters of the park, or limited therein to any specified season of the year, until otherwise ordered by the Secretary of the Interior.

8. No person will be permitted to reside permanently, engage in any business, or erect buildings or other improvements in the park without permission, in writing, from the Secretary of the Interior.

9. The herding, grazing, or otherwise trespassing of cattle or loose stock of any kind within the park is strictly forbidden. Stock or cattle may be driven across the park, but must be confined to the roads and kept in motion under competent care while in the reservation.

10. No vehicles will be permitted to travel through the park except upon the roads designated for such traffic by the superintendent, and

driving or riding over roads or bridges at a high rate of speed is prohibited.

11. Private notices or advertisements shall not be posted or displayed within the park, except such as may be necessary for the convenience and guidance of the public.

12. The sale of intoxicating liquors in the park is strictly forbidden.

13. No gambling or game of chance shall be permitted within the limits of the park; nor shall any person use profane or obscene language, commit or maintain a nuisance, or be guilty of disorderly conduct or any act involving immorality therein.

14. Persons who render themselves obnoxious by disorderly conduct or bad behavior, or who violate any of the foregoing rules, will be summarily removed from the park and will not be allowed to return without permission, in writing, from the Secretary of the Interior or the superintendent of the park.

No lessee or licensee shall retain in his employ any person whose presence in the park shall be deemed and declared by the superintendent to be subversive of the good order and management of the reservation.

15. Any person who violates any of the foregoing regulations will be deemed guilty of a misdemeanor, and be subjected to a fine, as provided by the act of April 21, 1904, of not less than $5 nor more than $100 and may be imprisoned for a term of not more than six months for each offense.

GENERAL LEGISLATION.

[Sec. 5391, Rev. Stats., U. S.]

PROSECUTIONS UNDER STATE LAWS WHERE NO FEDERAL LAWS ARE APPLICABLE.

If any offense be committed in any place which has been or may hereafter be, ceded to and under the jurisdiction of the United States, which offense is not prohibited, or the punishment thereof is not specially provided for by any law of the United States, such offense shall be liable to and receive the same punishment as the laws of the State in which such place is situated, now in force, provide for the like offense when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offense in any court of the United States.

[Act of July 7, 1898 (30 Stat., 717).]

An act to protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes.

* * * * * * *

SEC. 2. That when any offense is committed in any place, jurisdiction over which has been retained by the United States or ceded to it by a State, or which has been purchased with the consent of a State for the erection of a fort, magazine, arsenal, dockyard, or other needful building or structure, the punishment for which offense is not provided for by any law of the United States, the person committing such offense shall, upon conviction in a circuit or district court of the United States for the district in which the offense was committed, be liable to and receive the same punishment as the laws of the State in which such place is situated now provide for the like offense when committed within the jurisdiction of such State, and the said courts are hereby vested with jurisdiction for such purpose; and no subsequent repeal of any such State law shall affect any such prosecution.

[Act of Mar. 3, 1875 (18 Stat., 481).]

CUTTING TIMBER ON RESERVED LANDS, DESTROYING FENCES, ETC.

Be it enacted, etc., That if any person or persons shall knowingly and unlawfully cut, or shall knowingly aid, assist, or be employed in unlawfully cutting, or shall wantonly destroy or injure, or procure to be wantonly destroyed or injured, any timber-tree or any shade or ornamental tree, or any other kind of tree, standing, growing, or being upon any lands of the United States, which, in pursuance of law, have been reserved, or which have been purchased by the United States for any public use, every such person or persons so offending, on conviction thereof before any circuit or district court of the United States, shall, for every such offense, pay a fine not exceeding $500, or shall be imprisoned not exceeding 12 months.

SEC. 2. That if any person or persons shall knowingly and unlawfully break or destroy any fence, wall, hedge, or gate inclosing any lands of the United States, which have, in purusance of any law, been reserved or purchased by the United States for any public use, every such person so offending, on conviction, shall, for every such offense, pay a fine not exceeding $200, or be imprisoned not exceeding six months.

SEC. 3. That if any person or persons shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States, reserved or purchased as aforesaid, and shall drive any cattle, horses, or hogs upon the lands aforesaid, for the purpose of destroying the grass or trees on the said grounds, or where they may destroy the said grass or trees, or if any such person or persons shall knowingly permit his or their cattle, horses, or hogs to enter through any of said inclosures upon the lands of the United States aforesaid, where the said cattle, horses, or hogs may or can destroy the grass or trees or other property of the United States on the said land, every such person or persons so offending, on conviction, shall pay a fine not exceeding $500, or be imprisoned not exceeding 12 months.

Provided, That nothing in this act shall be construed to apply to unsurveyed public lands and to public lands subject to preemption and homestead laws, or to public lands subject to an act to promote the development of the mining resources of the United States, approved May 10, 1872.

[Act of June 3, 1878 (20 Stat., 89), as amended by sec. 2 of the act of Aug. 4, 1892 (27 Stat., 348).]

CUTTING TIMBER ON LANDS OF THE UNITED STATES.

* * * * * * *

SEC. 4. After the passage of this act it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States in public-land States, or remove, or cause to be removed, any timber from said public lands with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; and any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than $100 nor more than $1,000.

I beg to refer you to a recent resolution by the Sulphur Chamber of Commerce, which states quite succinctly the present status of this park. This beautiful young city is deeply interested in this park. Investments have been made on the strength of this Government park and the Government feigns great generosity in tendering this park to the State. The letter follows:

SULPHUR CHAMBER OF COMMERCE AND THIRTY THOUSAND CLUB—PLATT NATIONAL PARK—THE GREATEST ALL-THE-YEAR-ROUND HEALTH AND PLEASURE RESORT IN THE SOUTHWEST—SULPHUR, OKLA.

At a mass meeting of the citizens of Sulphur, Okla., held on January 25, 1911, the following preamble and resolutions were unanimously adopted:

Whereas the honorable Secretary of the Interior, in his last annual report, has stated that Platt National Park, at Sulphur, Okla., is not of sufficient national importance to be maintained by the Government; and

Whereas we do not believe that this report would have been made had he known of the true conditions of the said park and the treaty by which it was acquired by the Government: Therefore be it

Resolved first, That the park was acquired by the Government by treaty with the Choctaw and Chickasaw Indians with the provisions that it be kept and maintained as a national park and reservation, for the free use of all the people forever, and that to abandon it now by the Government would be in violation of that treaty, and the land, valuable as it is, would revert to the said nations, and they would dispose of it as other unallotted lands, thereby destroying its usefulness as a health and pleasure resort and a greater loss to the sick and afflicted who come here to be benefited.

Resolved second, That one of the chief considerations that caused the people of Sulphur residing on the land taken by the park at the time it was segregated to give up their holdings there was that it should be kept by the National Government for all time as a health and pleasure resort "free for all people for all time," and to abandon it now by the Government would be in violation of that agreement and work a great wrong on them.

Resolved third, That the said park was named for the late Senator Orville H. Platt, of Connecticut, to commemorate his memory and his liberal ideas of conservation, and for the Government now to abandon it would be like destroying a monument erected to his memory and show great ingratitude for his long and useful service to his country.

Resolved fourth, That we furnish a copy of this preamble and these resolutions to each of the United States Senators and Members in Congress and urge them, on behalf of all that has been stated herein, and in behalf of the thousands of sick and afflicted people who visit this park to drink of the waters and enjoy its health-giving climate, to not allow Platt National Park to pass from the control and management of the United States Government.

T. F. GAFFORD, *Chairman*.
A. P. LEVER.
H. W. BROADBENT.
CHAS. F. ROGERS.
T. E. MOLACEK.

The hostility of the Committee on Appropriations is not borne out by the letters from the Interior Department for the years 1909 and 1910, respectively:

DEPARTMENT OF THE INTERIOR,
Washington, October 21, 1909.

Hon. SCOTT FERRIS,
House of Representatives.

SIR: In further reply to your letter complaining of the insanitary conditions in Platt National Park, it will be seen from the accompanying report of the superintendent of the park, to whom the matter was referred, that the condition complained of is principally due to the fact that the sewerage, etc., from the municipality of Sulphur drains into the reservation. The only remedy for the present condition of affairs is the construction of a sanitary sewer, and the work on this can not be inaugurated until Congress shall have made an appropriation therefor. The present unexpended balance of revenues for this park is only sufficient to provide for the administration therein, without making any improvements whatever until June 30, 1910. An estimate in the sum of $25,000 for administration in this reservation and the construction of a sanitary sewer system has been forwarded to the honorable Secretary of the Treasury for transmission to Congress.

Very respectfully, FRANK PIERCE, *Acting Secretary*.

DEPARTMENT OF THE INTERIOR,
Washington, January 28, 1910.

Hon. SCOTT FERRIS,
House of Representatives.

SIR: Your letter has been received inquiring as to the appropriations to be made for the Platt National Park during the next fiscal year.

In response thereto I have to state that in the estimates of appropriations for the service of the Government during the year ending June 30, 1911, H. Doc. 177, Sixty-first Congress, second session, an estimate in the sum of $25,000 was submitted by this department for the protection and improvement of Platt National Park, including the construction of a sewer in that reservation.

The revenues from this reservation, which are now used in the administration and improvement of the park, will be exhausted by June 30, 1910, and unless an appropriation is made by Congress for the administration of this park after the 1st of July the department will be compelled to dispense with the services of the superintendent and all the employees connected therewith.

Very respectfully, R. A. BALLINGER, *Secretary*.

I beg to call your attention to a letter from the superintendent of the park—Col. A. R. Greene—of 1900. This shows a condition that the Government should have corrected long ago. It ought

to be corrected now, and the Government under existing law is morally, at least, bound to correct.

DEPARTMENT OF THE INTERIOR, PLATT NATIONAL PARK,
Sulphur, Okla., October 4, 1909.

Hon. C. B. EMANUEL,
Mayor, City of Sulphur, Okla.

DEAR SIR: I am in receipt of a letter from the honorable Secretary of the Interior under date of September 29, 1909, inclosing a letter from Hon. Scott Ferris in regard to the insanitary conditions existing in Platt National Park by reason of the drainage of the sewage of the city of Sulphur into the same. The Secretary requests me to at once look into this matter and submit a report as to the conditions complained of and what steps are necessary to remedy the same.

The object of this letter to you is to invite suggestions as to the proper remedy for the insanitary conditions prevailing, and to this end I trust you will give this matter immediate and earnest attention.

In this connection I may be permitted to quote at length from a letter which I addressed to the department on March 18 last, and which in my views covers the situation as it exists to-day:

"Commencing at Fifth Street east and extending to Fourteenth Street west, including the whole semicircular sweep on the north side of the park, there is a dense settlement the whole drainage of which is emptied into Travertine and Rock Creeks through numerous ravines and gullies which make down from the steep hillsides of the town. This general condition is aggravated at certain points as follows: At the corner of Wapanucka Avenue and Second Street is the Odneal Hotel, which empties its sewage into Travertine Creek near a fresh-water spring from which perhaps 20 families obtain their domestic supply. Near the corner of Davis Avenue and Division Street stands the Deaf Institute, a State institution with 200 attendants the sewage of which courses down a ravine through the most picturesque portion of East Central Park to Travertine Creek at a point frequented by thousands of visitors annually. At the corner of Davis Avenue and First Street west, in the boulevard and immediately adjoining the park boundary, is an unsightly septic tank, which is, however, but little better than a cesspool, and which discharges a large volume of sewage continually down the ravine, which is the natural boundary between East Central Park and West Central Park, into Travertine Creek a few rods above Lincoln Bridge, just completed. The odor from this discharge is so offensive as to be an occasion of unfavorable criticism by visitors and the public generally. It discolors and contaminates the water to such a degree that thirsty animals refuse to drink it. At the south end of Third Street west an artesian well, situated upon block 176, discharges its water through a ravine across the middle of West Central Park into Rock Creek a short distance above the mouth of Travertine Creek. Near the corner of Fifth Street west the discharge from one of the largest artesian wells of the city finds its way across the boundary and enters Rock Creek opposite the center of block 195. A short distance west of the latter is a slight depression in the surface through which is discharged into Rock Creek a constant flow of sewage from the Frisco depot and vicinity. Rock Creek itself at the crossing of Davis Avenue is contaminated by sewage from the north part of town to such a degree as to make the surface highly offensive in appearance and the water so impure that domestic animals refuse to drink it. Immediately west and but a few rods from the bank of Rock Creek is another septic tank in the middle of the boulevard, the discharge from which aggravates the conditions in Rock Creek referred to. From the latter point, following the whole course of the park boundary, the conditions are most insanitary and offensive. Hotels and private houses, barns, livery stables, and outbuildings of every character find their drainage across the park into Rock Creek.

"Manifestly such a condition as I have herein stated can not long exist without destroying the value of the park as a health and pleasure resort."

Also, in a letter to the department, under date of July 5, 1909, I referred to the necessity for the construction of a sanitary sewer in the park. If you have any suggestions to make by which a temporary relief could be obtained from the insanitary conditions existing to tide over until such time as money may be available for the construction of such a sewer, I shall be glad to confer with you in regard to them.

Very respectfully, A. R. GREENE, *Superintendent.*

The CHAIRMAN. The time of the gentleman has expired.

The question is on agreeing to the amendment.

Mr. CARTER. Mr. Chairman, I would like to be heard for just a moment.

The CHAIRMAN. Is the gentleman from Oklahoma [Mr. CARTER] opposed to the amendment?

Mr. CARTER. I am for the amendment.

Mr. SMITH of Iowa. I ask unanimous consent that the gentleman have five minutes, and that I have five minutes to reply.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CARTER. Mr. Chairman, the gentleman from Iowa [Mr. SMITH] has spoken about the solemn treaty obligation with the Indian. We hear a great deal about solemn treaty obligations in this Chamber, but it is a sentiment seldom expressed when any real rights of the Indian are actually at stake. This obligation may be very solemn so far as the gentleman from Iowa is concerned, but does not matter one whit to the Indian, and he knows it, and I fail to see any solemn binding obligation on the part of Oklahoma, when the State was not even in existence when the treaty was made. The State of Oklahoma has had nothing to do with the making of that agreement, and recently its legislature has passed an act which I want to read to the committee. It is very short and will not take much time. It is as follows:

House concurrent resolution.

Whereas under the provisions of an act of Congress of the United States entitled "An act to ratify and confirm an agreement with the Choctaw and Chickasaw Tribes of Indians, and for other purposes," approved July 1, 1902, whereby certain lands in the Chickasaw Nation were reserved from allotment and provisions made for the payment to the Indian tribes therefor by the United States Government, at the rate of $20 per acre, and which said land having been reserved, maintained, and used as a pleasure resort commonly known as "Platt National Park," situated in Murray County; and

Whereas it is expressed in said act of Congress that it is the intention that the lands so reserved from allotment should in the future be conveyed by the United States Government to such Territorial or State organization as might exist when such conveyance was made; and

Whereas the Secretary of the Interior has construed said last-named provision in said act as casting a cloud on the title of the United States Government to said lands, and has recommended that no appropriation be made for said lands as a pleasure resort by reason of the cloud on the title thereto: Now therefore be it

Resolved by the house of representatives (the senate concurring therein), That the said State disclaim any right, title, or interest in and to the lands aforementioned, the same being lands now embraced in what is known as "Platt National Park" adjoining the city of Sulphur, in said Murray County: And be it further

Resolved, That the Congress of the United States is requested and memorialized to make a suitable appropriation to maintain, preserve, protect, and care for said lands for the purpose of a public pleasure resort as it has heretofore done.

Passed the house of representatives this the 13th day of December, 1910.

W. B. ANTHONY,
Speaker of the House of Representatives.

Passed the senate this 14th day of December, 1910.

J. ELMER THOMAS,
President Pro Tempore of Senate.

Mr. SHERLEY. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. SHERLEY. Inasmuch as the United States wants to get rid of it, and Oklahoma will not have it, do you think we ought to appropriate any money for it?

Mr. CARTER. Well, I will tell you about that. The Federal Government has quite a lot of improvements in this park. There are a lot of bridges and other property of that character. These things will all go to rack if Federal supervision is abandoned. We have a new State down there. On the side of the State where this park lies we have no public internal improvements whatever—no improved roads nor bridges, no courthouses, no public school buildings; and we had to begin the business of State building from the very first foundation stone. Moreover we were handicapped by having a large portion of our property—the Indian lands—nontaxable, so that our young State can ill afford to contract any such obligation as should be embraced in the development and maintenance of this park.

The time will come when the ownership of this park will be sought rather than evaded by this Congress.

Mr. TAYLOR of Ohio. Have you a superintendent of that park?

Mr. CARTER. Yes, sir.

Mr. TAYLOR of Ohio. How much do they pay him?

Mr. CARTER. Fifteen hundred dollars.

Mr. SMITH of Iowa. And four rangers?

Mr. CARTER. Two rangers, I think.

Mr. TAYLOR of Ohio. And how about horses and buggies and buildings to house them in?

Mr. CARTER. They have one or two houses.

Mr. TAYLOR of Ohio. And they all live in one house?

Mr. CARTER. I don't know.

Mr. TAYLOR of Ohio. And what is the total expense of keeping them all in that nice park and paying their board?

Mr. CARTER. I really could not give the gentleman that information.

Mr. TAYLOR of Ohio. I again revert to the question of the gentleman from Kentucky [Mr. SHERLEY] as to why, if the State of Oklahoma does not want it, and the Government does not want it, should the Government appropriate for a nice home for five gentlemen and their families in a nice park down there?

Mr. CARTER. I tried to explain that once, and if the gentleman from Ohio [Mr. TAYLOR] does not understand, it is not the fault of the gentleman from Oklahoma.

Mr. TAYLOR of Ohio. But I have a pretty clear understanding about this park proposition myself.

Mr. ADAMSON. I very much doubt if the Indians would accept them if we gave this park and the Wind Cave Park back to the Indians.

Mr. SMITH of Iowa. This park is a little over a section in size. It takes five men to take care of it down there. That is the first object of the national park—to take care of these five men. [Laughter.] Just above the park is the town of Sulphur, which has constructed a sewer system and is delivering its sewage into the park and into these springs, so that the second chief object of this great national park is to receive into its springs the sewage system of Sulphur. [Laughter.]

Mr. FERRIS. Mr. Chairman, may I ask the gentleman to yield?

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. SMITH of Iowa. I can not. Now, regarding these great national purposes [laughter], on the recommendation of the Secretary of the Interior we refused to recommend the appropriation of any more money to be expended on this park. I say to the gentleman from Oklahoma [Mr. CARTER] and I say to the gentleman from South Dakota [Mr. MARTIN] that so far as I am concerned if they want to offer amendments ceding these two great national parks to their respective States I will make no point of order against them, but graciously accede to their request. [Laughter.]

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

Mr. SMITH of Iowa. I regret I can not. We have a solemn compact with the Indians that should never be broken, with respect to those parks, and I hope we will keep the compact. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. CARTER].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. DICKSON of Mississippi. Mr. Chairman, I offer an *amendment* which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

After line 8, on page 154, insert:

"That the sum of $5,000, or so much thereof as may be required, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of constructing a walk from the national military cemetery at Natchez, Miss., to the sidewalks of the city of Natchez, at the present terminus of the street car line near the city hospital, a distance of about 3,000 feet, the said funds to be expended under the direction of the Secretary of War."

Mr. SMITH of Iowa. Mr. Chairman, to that amendment I raise the point of order that it is not in order; that this land, where it is proposed to put this sidewalk, does not belong to the Government of the United States.

Mr. DICKSON of Mississippi. Mr. Chairman, one year ago I introduced a bill in accord with the sentiment of the women of Natchez. That bill is left unrequited. We are here to appeal to the Nation's sense of justice; the opposing sentiment of the mercantile age with characteristic merit.

In answer to the gentleman from Iowa, I may risk the opinion that he is in error.

I was so advised by citizens of Natchez, and visited the Secretary of War, the Hon. Jacob M. Dickinson, who advised me a year ago that the funds requisite were not at hand and available for the purpose of constructing this walk. There are some 2,000 and more soldiers of the Republic buried there who died or were killed during the Civil War north of Natchez. This 3,000 feet of gap is now nothing in the world but that which we might correctly term a country road. The Secretary of War, Mr. Dickinson, acceded as to the correctness of my solicitation regarding this, at the instance of the citizens of Natchez, and it does seem to me that it is not without the pale of propriety in any sense whatever. This is a well-kept cemetery, dedicated to the sacred rest of the Nation's honored dead. I am here to-day only to ask that this recognition of a connection with a great and growing city may be had by this small sum of money appropriated to give the opportunity now lacking to those who love to visit this spot. There are but few places along the Mississippi River that are more attractive to those who wish to while away an hour than that beautiful cemetery, kept by the Nation, yet unapproachable during one-half of the time in that latitude of ours, of such humid atmosphere.

That gentleman to whom I refer, the Secretary of War, approved this project in his oral discussion of the matter with me. One year ago I submitted this bill. There has been no report upon it. Accordingly, there is nothing left for me to do but to ask the consideration by the House of this bill, in order that the citizens of the Republic resident and visiting in that community may have access and opportunity for visiting this resting place of the Nation's dead. The sum of money called for by this amendment is but $5,000. Save the mails and a few other incidental items, to which I might revert, there is but little that my people receive from the Federal Government, and I come as a Mississippian, as the son of a soldier of the Republic in one war and a soldier under another banner in another war, asking that this opportunity be afforded to the women who promise to maintain it if this walk of 3,000 feet connecting the city of Natchez is constructed—the largest city in my district and the most important city between New Orleans and Memphis—that they may have opportunity added to their desire to visit the resting place of the soldiers of the Republic, I move the adoption of the amendment. [Applause.]

Mr. SMITH of Iowa. Mr. Chairman, I insist upon the point of order, that it is not the property of the United States, at all.

The CHAIRMAN. The Chair asks the gentleman from Mississippi whether the property is owned by the Government?

Mr. DICKSON of Mississippi. I am told that it is owned by the Government.

Mr. SMITH of Iowa. This is a highway. Where does the gentleman obtain the information that enables him to say that the Government has title to this highway?

Mr. DICKSON of Mississippi. I am told that the city of Natchez ceded the title to the Government; confirmed by the records of the War Department. In conclusion, I do not begrudge any satisfaction derived by the honorable gentleman from Iowa, and leave to him his quarrel with the dead.

The CHAIRMAN. The Chair is prepared to rule. The amendment is not germane to this part of the bill, and no definite information has been given to the Chair that the property where the sidewalk is proposed to be located is now the property of the Government. The Chair therefore sustains the point of order.

The Clerk read as follows:

For completing the power, heating, and lighting plant, remodeling the electric layout, and substituting electrically driven for steam-driven machinery, and for other purposes incident thereto, $60,000, which sum shall be paid from money in the Treasury which has accrued to the hospital from pensions under the act of February 20, 1905, and be immediately available.

Mr. FOSTER of Illinois. I move to strike out the last word. I desire to take only a moment's time. A little while ago in a discussion here it was doubted that we had passed a law for a detention hospital for the insane in Alaska. I now have before me the law, which was approved on June 25, 1910, providing for an appropriation for a hospital at Fairbanks and one at Nome. I want to state that my friend from Tennessee [Mr. HOUSTON], who coincided with me and said that the law had been passed, was correct.

Mr. GOULDEN. Will the gentleman yield?

Mr. FOSTER of Illinois. Yes.

Mr. GOULDEN. I should like to ask the gentleman why no appropriation was made to carry out the law?

Mr. FOSTER of Illinois. The appropriation has been made.

Mr. GOULDEN. Then why has not the hospital been erected?

Mr. FOSTER of Illinois. That is what I am trying to find out from the committee.

Mr. GOULDEN. Perhaps the chairman of the committee can tell us.

The Clerk read as follows:

For the construction of a suitable building for cold storage and conveyer runways at the central heating plant of the Freedmen's Hospital and Howard University, to be immediately available, $7,500.

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

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

The Clerk read as follows:

On page 158, line 4, strike out the word "cold" and insert the word "coal."

The amendment was agreed to.

The Clerk read as follows:

Suits to set aside conveyances of allotted lands, Five Civilized Tribes: For the payment of necessary expenses incident to any suits brought at the request of the Secretary of the Interior in the eastern judicial district of Oklahoma, to be expended under the direction of the Attorney General, $50,000: *Provided*, That the sum of $10,000 of the above amount, or so much thereof as may be necessary, may be expended in the prosecution of cases in the western judicial district of Oklahoma, and not to exceed $10,000 of said sum shall be available for the expenses of the United States on appeals to the Supreme Court of the United States.

Mr. CARTER. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman in charge of this bill if the proviso in this paragraph is not a duplication of the second paragraph on page 163?

Mr. TAWNEY. What proviso?

Mr. CARTER. In the third paragraph on page 164.

Provided, That the sum of $10,000 of the above amount, or so much thereof as may be necessary, may be expended in the prosecution of cases in the western judicial district of Oklahoma, and not to exceed $10,000 of said sum shall be available for the expenses of the United States on appeals to the Supreme Court of the United States.

The other paragraph that I refer to begins with line 6, on page 163.

Mr. TAWNEY. There is no appropriation in line 6, page 163. That is—

For the payment of any and all expenses incurred or to be incurred in or about the prosecutions for crimes committed in the United States or the Republic of Mexico in conection with the false making or unlawful procurement of conveyances purporting to affect title to lands in Oklahoma allotted to Kickapoo Indians, $20,000, at the discretion of the

Attorney General, the provision of section 3648 of the Revised Statutes to the contrary notwithstanding.

Mr. SMITH of Iowa. Those are exclusively criminal prosecutions, and the others, referred to on page 164, are substantially all civil cases.

Mr. CARTER. No; the others are criminal cases, too:

Provided, That the sum of $10,000 of the above amount, or so much thereof as may be necessary, may be expended in the prosecution of cases in the western judicial district of Oklahoma, and not to exceed $10,000 of said sum shall be available for the expenses of the United States on appeals to the Supreme Court of the United States.

Mr. SMITH of Iowa. Those are civil cases.

Mr. CARTER. No; there is nothing in the language to justify such assumption; that appropriation has been used in the past for criminal prosecutions of the gentlemen who are alleged to have perpetrated the Kickapoo land frauds.

Mr. SMITH of Iowa. Does the gentleman know that the $10,000 to be used on appeals to the Supreme Court of the United States is for criminal prosecutions?

Mr. CARTER. No; I am questioning the first part of the language after the word "*Provided*."

Mr. SMITH of Iowa. There is nothing in this paragraph on page 164 which indicates that it is for criminal prosecutions.

Mr. CARTER. That is what it has been used for.

Mr. TAWNEY. It says here in line 11:

Suits to set aside conveyances of allotted lands.

That is not for criminal prosecutions.

Mr. FITZGERALD. The gentleman from Oklahoma is mistaken.

Mr. CARTER. The gentleman from Oklahoma is not mistaken.

Mr. FITZGERALD. That is to be used in those suits that the gentleman contended were improperly brought.

Mr. CARTER. The gentleman from New York is himself mistaken. That is not the case at all. This refers to matters in the western district of Oklahoma, and the suits the gentleman from New York has in mind are in the eastern district of Oklahoma.

Mr. FITZGERALD. The gentleman is mistaken; I am familiar with both items and I have gone over them with him.

Mr. CARTER. I will say to the gentleman that he and I have never had any conversation either personally or before his committee about the prosecution of any suits in the western district of Oklahoma.

Mr. FITZGERALD. I know that; the gentleman is interested in the eastern district.

Mr. CARTER. Yes; these are known as the kicking Kickapoo land-fraud suits, the same thing as is referred to on page 163.

Mr. TAWNEY. I will say to the gentleman from Oklahoma that there will be no duplication. The officials of the Department of Justice were before the committee, and the understanding was that in one case it was to prosecute criminal cases and in the other to prosecute civil cases.

Mr. CARTER. O Mr. Chairman, the gentleman from Minnesota is mistaken. I am sure these two items contemplate the same cases. The matter is not in my district, however, and I shall make no further objection.

Mr. TAWNEY. That is the understanding that we obtained from the officers of the Department of Justice. I do not think the department would be so unfamiliar with the business as to come to the committee and ask for two appropriations for identically the same thing. Our understanding is that one is for the prosecution of criminal cases and the other for civil cases.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York and the northern district of Illinois: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *Provided further*, That no such person shall be employed during vacation; of reasonable expenses actually incurred for travel and maintenance of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Hawaii, and Porto Rico, consequent upon their attending court or transacting other official business at any place other than their official place of residence, not to exceed $10 per day, said expenses to be paid by the marshal of the district in which said court is held or official business transacted upon the judge's written certificate; of meals and lodgings for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court; and of compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $250,000.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the last word, in order to ask the chairman of the committee a question: Does this change the law in reference to the payment of district judges when they are absent on official business away from their place of residence in their own district? I do not object to it. If it changes the law, I am glad of it. I will give the gentleman briefly the reason of my inquiry. The law as it now stands does not permit a district judge who may be holding court in a subdivision of his district other than his residence to receive pay when he goes to hold court. I hope this does change the law, and that the judges may get pay when they go beyond the division of their residence.

Mr. TAWNEY. I will say to the gentleman that the necessity for this comes from the act passed by Congress, I think two years ago, which makes all the circuit court judges subject to call to sit in cases where it is necessary to expedite business and where they are taken out of their circuits.

Mr. BARTLETT of Georgia. Yes; and there is one provision that requires three circuit judges.

Mr. TAWNEY. That is a fact. We had before our committee the case of a circuit court judge in California who has been taken into the State of Idaho and into the State of Washington for the purpose of meeting the requirements of that law.

Mr. BARTLETT of Georgia. I agree with the gentleman that it is perfectly proper. But you say here "and the district judges also."

Mr. TAWNEY. Yes; it applies to the district judges where a district judge is required to hold court in his district at a place other than his home. He would then be entitled to traveling expenses.

Mr. BARTLETT of Georgia. He is not so entitled under the law.

Mr. TAWNEY. He is not.

Mr. BARTLETT of Georgia. Then this changes the existing law.

Mr. TAWNEY. It changes the existing law in that respect.

Mr. BARTLETT of Georgia. I want to congratulate the gentleman, because it is an act of justice to these judges.

Mr. ADAMSON. There is no doubt about that, and it ought to have been done long ago. This matter was brought about in this way: Some years ago Chief Justice Fuller and this artist from Philadelphia, who is a noted artist, whose name I do not know——

Mr. COOPER of Wisconsin. Rosenthal.

Mr. TAWNEY. It was at the request of the Chief Justice of the United States, for the purpose of getting together, collecting, and painting portraits of the Justices of the Supreme Court of the United States, that the work was initiated. The work has been done. The Committee on Appropriations has had submitted to it photographs of the portraits that have been painted, and judging from the photographs of the portraits of the men who are now living, in the judgment of the committee, and also based upon the reputation of the artist, we concluded that this is practically the only opportunity we have of preserving the portraits of the men who have served upon the Supreme Court of the United States. There is no other country in the world that has not preserved the portraits of the justices of its supreme judicial tribunal.

Mr. MICHAEL E. DRISCOLL. Who owns those old portraits now?

Mr. TAWNEY. They belong to the man who painted them—Rosenthal, at Philadelphia—and I am sorry that the gentleman has not taken the trouble to look at the hearings. He would see the pains taken for the purpose of getting accurate data regarding the appearance of the men who have passed and gone, before the portraits were painted.

Mr. MICHAEL E. DRISCOLL. Did he have any promise from anybody in authority that they would be bought by the Government?

Mr. TAWNEY. He had no promise, so far as I know, from anybody. He had a conference with the Justices of the Supreme Court, and with the late Chief Justice Fuller. We have portraits of the Chief Justices of the Supreme Court, but we have no portraits of any of the associate justices.

Mr. COOPER of Wisconsin. Is the artist now living?

Mr. TAWNEY. Yes; he was before the committee and his testimony is in the hearings.

Mr. COOPER of Wisconsin. Did the gentleman say that these were portraits of the justices from the foundation of the court? He must have called on his imagination for the portraits, because many of them died long before the artist was born.

Mr. STAFFORD. Mr. Chairman, I have read the hearings and am somewhat acquainted with the artist. In the hearings he said he had the original photogravures of the former justices. Ten of the 15, as he states, have been painted from life. His testimony is on page 896.

Mr. COOPER of Wisconsin. Are they as lifelike and beautiful as some of the portraits in the hall just to the south of the Chamber?

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAWNEY. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAWNEY. I want to call the attention of the committee to the fact that the Government of the United States preserves the likenesses of cabinet officers, not only heads of departments, but in some cases the chiefs of bureaus. All of these portraits are painted at the expense of the Government, and I think it is only an act of justice to the Supreme Court of the United States and the Associate Justices of the Supreme Court of the United States that we should preserve the likenesses of the men who have served on that bench.

Mr. COOPER of Wisconsin. Has the gentleman from Minnesota seen the portraits?

Mr. TAWNEY. We have seen photographs of the portraits.

Mr. COOPER of Wisconsin. Does the gentleman know anything about the tints, whether the chiaroscuro is proper, and so forth?

Mr. KEIFER. I do not know what that word means.

Mr. COOPER of Wisconsin. Neither do I; but I have seen it in connection with paintings.

Mr. Chairman, I will not buy a pig in a poke and pay several thousand dollars for it. I therefore raise the point of order.

Mr. MICHAEL E. DRISCOLL. But it has already been raised.

Mr. COOPER of Wisconsin. Then I make it.

The CHAIRMAN. Does the gentleman insist upon the point of order?

Mr. MACON. The gentleman from Wisconsin made the point of order.

Mr. MICHAEL E. DRISCOLL. The gentleman from Wisconsin has made the point of order.

Mr. COOPER of Wisconsin. I will withdraw it temporarily in order to say a word.

Mr. MICHAEL E. DRISCOLL. If you are going to insist upon it, what is the use of talking about it?

Mr. COOPER of Wisconsin. I think I would feel easier if I were to say a word, in view of the fact that I will make the point of order.

Mr. MICHAEL E. DRISCOLL. Has the gentleman reserved it?

Mr. COOPER of Wisconsin. Yes.

Mr. TAWNEY. He said that he withdrew it in order that he might relieve himself.

Mr. MICHAEL E. DRISCOLL. I reserve the point of order, and if the gentleman does not insist upon it I will.

Mr. COOPER of Wisconsin. Mr. Chairman, if I myself were possessed of financial means to purchase 15 portraits for $12,000, I would not do it without having seen the pictures. I would not do that with my own money if I were possessed of that amount of money, and I can not vote away the money out of the United States Treasury to buy something which no Member of the House apparently has ever seen.

Mr. TAWNEY. Will the gentleman permit me to interrupt him?

Mr. COOPER of Wisconsin. Yes.

Mr. TAWNEY. Is the gentleman aware that he has already voted $9,000 for painting of pictures you have not seen?

Mr. COOPER of Wisconsin. Yes; I know, and that is the reason I will not vote for any more. [Laughter.]

Mr. TAWNEY. We have already authorized the reproduction of these things that hang on the wall out here, called pictures of past Speakers, and appropriated $9,000 for that purpose without knowing anything at all about what the result would be, whether it would be any improvement on those we have already or not.

Mr. MONDELL. Do I understand the gentleman to say he was opposed to these portraits because he had seen some of these pictures out here?

Mr. TAWNEY. There is only one completed, which is that of the distinguished gentleman from Ohio; probably that is the reason the gentleman from Wisconsin objects.

Mr. COOPER of Wisconsin. Has this same artist painted——

Mr. STAFFORD. He has only painted portraits of eminent men.

Mr. MACON. Does the gentleman from Wisconsin remember the handsome picture which was bought by Members of the House of the Hon. John Sharp Williams and placed out here in the hall——

Mr. BARTLETT of Georgia. That was a good likeness, too.

Mr. MACON. And that was a pig in a poke, and we paid $500 for it.

Mr. COOPER of Wisconsin. I could not recognize it until Williams went out there and told me that was his picture. [Laughter.]

Mr. FOSTER of Illinois. Is it the same man who painted the portrait of the chairman of our Appropriations Committee?

Mr. COOPER of Wisconsin. Mr. Chairman, I make the point of order. I would like to have the portraits brought down and exhibited.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Stonington River (Conn.) Light Station: For repair of sea wall about Stonington Point, Conn., $500.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 177, line 23, after the word "Stonington" strike out the word "River."

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

Mr. THOMAS of North Carolina. Mr. Chairman, I would like to ask the chairman if he will accept an amendment?

Mr. TAWNEY. No; not now. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. STEVENS of Minnesota having assumed the chair as Speaker pro tempore, Mr. MANN, 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. 32909, the sundry civil appropriation bill, and had come to no resolution thereon.

CONSTITUTION OF NEW MEXICO.

The SPEAKER pro tempore laid before the House a message from the President, which was read and referred to the Committee on the Territories.

To the Senate and House of Representatives:

The act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States, etc., passed June 20, 1910, provides that when the constitution, for the adoption of which provision is made in the act, shall have been duly ratified by the people of New Mexico in the manner provided in the statute, a certified copy of the same shall be submitted to the President of the United States and to Congress for approval, and that if Congress and the President approve of such constitution, or if the President approve the same and Congress fails to disapprove the same during the next regular session thereof, then that the President shall certify said facts to the governor of New Mexico, who shall proceed to issue his proclamation for the election of State and county officers, etc.

The constitution prepared in accordance with the act of Congress has been duly ratified by the people of New Mexico, and a certified copy of the same has been submitted to me and also to the Congress for approval, in conformity with the provisions of the act. Inasmuch as the enabling act requires affirmative action by the President, I transmit herewith a copy of the constitution, which, I am advised, has also been separately submitted to Congress, according to the provisions of the act, by the authorities of New Mexico, and to which I have given my formal approval.

I recommend the approval of the same by the Congress.

WM. H. TAFT.

THE WHITE HOUSE, *February 24, 1911.*

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. 18542. An act for the relief of Thomas C. Clark; and

H. R. 26290. An act providing for the validation of certain homestead entries.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 7640. An act for the relief of James M. Sweat.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ASHBROOK was granted leave of absence for five days, on account of sickness of self and wife.

ADJOURNMENT.

Mr. TAWNEY. Mr. Speaker, I move that when the House adjourns it adjourn to meet at half past 10 o'clock to-morrow.

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

Mr. TAWNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 21 minutes p. m.) the House adjourned to meet at 10.30 a. m. Saturday, February 25, 1911.

EXECUTIVE COMMUNICATIONS, ETC.

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

1. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Acting Secretary of War, submitting an estimate of appropriation for pay of the Army (H. Doc. No. 1407); to the Committee on Appropriations, and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting with comment as to phraseology copies of the acts for the relief of E. C. Young and Phoebe Clark, respectively (H. Doc. No. 1408); to the Committee on Appropriations, and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for salaries and expenses of agents and subordinate officers of Internal Revenue (H. Doc. No. 1409); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

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

Mr. WILSON of Illinois, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 5196) to establish a fish-cultural station in the State of Tennessee, reported the same with amendment, accompanied by a report (No. 2250); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WASHBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 30273) for the relief of the city of Quincy, the towns of Weymouth and Hingham, and the Old Colony Street Railway Co., all of Massachusetts, reported the same with amendment, accompanied by a report (No. 2251); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOBSON, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 32127) to encourage the development of the American merchant marine and to promote commerce and the national defense, reported the same with amendment, together with the views of the minority, accompanied by a report (No. 2253); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 9693) to provide for the payment of the traveling and other expenses of the United States circuit and district judges when holding court at places other than where they reside, reported the same with amendment, accompanied by a report (No. 2254), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the resolution of the House (H. Res. 980) making inquiry relative to action of Department of Agriculture against Hydro Electric Co. of California, reported the same with amendment, accompanied by a report (No. 2248), which said resolution and report were referred to the House Calendar.

Mr. SMITH of Texas, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 32883) for the relief of the city of Quincy, the towns of Weymouth and Hingham, and the Old Colony Street Railway Co., all of Massachusetts, reported the same with amendment, accompanied by a report (No. 2249), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

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

Mr. TILSON, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 9529) for the relief of Alexander Wilkie, reported the same without amendment, accompanied by a report (No. 2245), which said bill and report were referred to the Private Calendar.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9624) for the relief of Hansell Hatfield, of McMinn County, Tenn., reported the same with amendment, accompanied by a report (No. 2246), which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12814) for the relief of John J. Adams, reported the same without amendment, accompanied by a report (No. 2247), which said bill and report were referred to the Private Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 32047) for the relief of Eli Helton, reported the same with amendment, accompanied by a report (No. 2252), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

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

A bill (H. R. 32918) for the relief of Henry C. Adams and others; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 32915) for the relief of Timothy Donahoe; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. ROBINSON: A bill (H. R. 32927) to authorize the county of Ouachita, in the State of Arkansas, to construct a bridge across Ouachita River; to the Committee on Interstate and Foreign Commerce.

By Mr. FORDNEY: A bill (H. R. 32928) to authorize a credit in the accounts of various States with the Treasury Department, and for other purposes; to the Committee on Ways and Means.

By Mr. HULL of Iowa (by request): A bill (H. R. 32929) concerning the Alaskan cable and telegraph system; to the Committee on Military Affairs.

By Mr. HOWELL of Utah: A bill (H. R. 32930) for the establishment of a national sanitarium for disabled soldiers at Becks Hot Springs, in the State of Utah; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 32931) to authorize cities and incorporated towns to purchase coal lands; to the Committee on the Public Lands.

By Mr. STANLEY: A bill (H. R. 32932) to prohibit persons engaged in the manufacture and sale of railroad cars, locomotives, railroad rails, and structural steel, or in the mining and sale of coal from becoming directors or other officers or employees of railroads engaged in interstate commerce; to the Committee on the Judiciary.

By Mr. NORRIS: Resolution (H. Res. 995) requesting certain information from the Attorney General of the United States; to the Committee on the Judiciary.

By Mr. CARY (by request): Resolution (H. Res. 996) providing for the investigation of the Weather Bureau of the Department of Agriculture; to the Committee on Rules.

By Mr. HAWLEY: Memorial of the Legislature of Oregon, concerning pensions for soldiers of Indian wars; to the Committee on Pensions.

Also, memorial of the Legislature of Oregon, concerning manufacturing industries of the United States; to the Committee on Interstate and Foreign Commerce.

Also, a memorial of the Legislature of Oregon concerning pensions of the veterans of the late Civil War; to the Committee on Invalid Pensions.

Also, a memorial of the Legislature of Oregon concerning the Canadian reciprocity agreement; to the Committee on Ways and Means.

Also, a memorial of the Legislature of Oregon concerning soldiers who served in the Spanish-American War; to the Committee on War Claims.

By Mr. HANNA: A memorial of the Legislature of North Dakota favoring the Sulloway pension bill; to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ANDREWS: A bill (H. R. 32933) granting an increase of pension to Elizabeth Mundell; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 32934) granting an increase of pension to Joseph S. Murphy; to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 32935) granting an increase of pension to Thomas Lyghton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32936) granting an increase of pension to Laura C. Hyer; to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 32937) granting an increase of pension to James A. Beard; to the Committee on Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 32938) granting an increase of pension to William Green; to the Committee on Invalid Pensions.

By Mr. LOWDEN: A bill (H. R. 32939) granting an increase of pension to Martin Piper; to the Committee on Invalid Pensions.

By Mr. MOXLEY: A bill (H. R. 32940) granting an increase of pension to Philander H. Graves; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 32941) for the relief of Lizzie E. McCord, administratrix of Moses S. McCord, deceased; to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 32942) for the relief of Ira Haworth; to the Committee on the Public Lands.

By Mr. YOUNG of Michigan: A bill (H. R. 32943) granting a pension to Susanna A. Laplant; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 32944) granting public land to the city of Boulder, Colo., for public-park purposes; to the Committee on the Public Lands.

PETITIONS, ETC.

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

By the SPEAKER: Petition of the House of Representatives of Porto Rico, for Committee on Insular Affairs and other Members of the House to visit Porto Rico; to the Committee on Insular Affairs.

By Mr. ANDERSON: Petition of citizens of Sandusky, Ohio, against a parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of National Association of Merchant Tailors of America, against increase of postal rates; to the Committee on the Post Office and Post Roads.

Also, petition of the Association of Military Surgeons of Washington, D. C., for Senate bill 6049; to the Committee on Agriculture.

By Mr. ASHBROOK: Petition of Congress Grange, No. 1726, West Salem, Ohio, for election of Senators by popular vote; to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of International Brotherhood of Paper Makers, Solon, Me., and Hartland (Me.) Grange, No. 452, against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. BINGHAM: Papers to accompany House bill 32863; to the Committee on Ways and Means.

By Mr. CLARK of Florida: Petition of Commercial Club of Sanford, Fla., favoring construction of the Mississippi to Atlantic waterway; to the Committee on Rivers and Harbors.

By Mr. DALZELL: Petition of Councils Nos. 896 and 295, Junior Order United American Mechanics, Putneyville, Pa.; Washington Camp No. 635, Patriotic Order Sons of America; Union No. 890, Brotherhood of Carpenters and Joiners, of Pittsburg, Pa., urging enactment of House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of Polish National Alliance, Chicago, Ill., against further restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of General Assembly of the Presbyterian Church of United States of America, for State control of the liquor traffic; to the Committee on Interstate and Foreign Commerce.

By Mr. DAWSON: Petition of American Live Stock Association, against reciprocity with Canada; to the Committee on Ways and Means.

By Mr. DICKINSON: Paper to accompany the bill (H. R. 27947) granting an increase of pension to James W. Orvis; to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of business men of Granville and Fort Edwards, N. Y., for Senate bill 3776; to the Committee on Interstate and Foreign Commerce.

By Mr. DUREY: Petition of the Woman's Home Missionary Society, of Burnt Hills, N. Y., favoring the enactment of the Miller-Curtis and other prohibition measures; also petition of the Woman's Home Missionary Society, of Cohoes, N. Y., favoring the same measures; to the Committee on the Judiciary.

Also, resolution adopted by the National Gas and Gasoline Engine Trades Association, opposing any increase in postage rates; to the Committee on the Post Office and Post Roads.

Also, telegrams, protesting against an increase of postal rates on magazines, received from James M. Johnston, Charles W. Corbett, jr., David F. Kemp, Isaac Goldmann Co., Perkins Goodwin Co., Langer & Williams, The Century Co., the Christian Herald Co., and the publishers of Every Woman's Magazine, all of New York City; to the Committee on the Post Office and Post Roads.

By Mr. ELLIS: Petition of W. A. Betts and 48 others of Astoria, Oreg., for Senate bill 5677, promoting efficiency of Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. FORNES: Petition of Catholic Benevolent Legion, Buffalo, N. Y.; Pictorial Review Co., Manufacturers Color & Printing Co., and Printing Inks, New York, against increase in postage rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of the Macmillan Co., publishers, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of citizens of Illinois, against a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the American Paper and Pulp Association, against provisions of the McCall bill admitting paper and pulp free of duty; to the Committee on Ways and Means.

Also, petition of the Polish National Alliance, against restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Tacoma (Wash.) Commercial Club, for an appropriation of $50,000 for roads around Mount Tacoma; to the Committee on the Public Lands.

Also, petition of the St. Louis (Mo.) Advertising Men's League; Rev. A. D. Traveller, Rockford, Ill.; William Wilson, Ottawa, Ill.; and R. V. Collins Publishing Co., of Minneapolis, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. GARDNER of Massachusetts: Petitions of secretary of Gloucester Board of Trade, estimating that proposed admission of fish free of duty from Canada would result in the saving of an average of 1 cent a year to the inhabitants of the United States in the price of foodstuffs, and protesting against the Canadian reciprocity treaty, also urging defeat of proposed fish schedule of reciprocity pact; the Crown Packing Co., fish business, Gloucester; the Provincetown Board of Trade; the Gloucester Municipal Council; E. K. Burnham Fish Co.; the New England Fish Exchange, of Boston; the Gloucester Business Men's Association; Cape Ann National Bank, Gloucester; Gloucester Mackerel Co., Gloucester; Cape Ann Anchor Works, Gloucester; Cape Ann National Bank, Gloucester; Frank E. Davis Fish Co., Gloucester; Cape Ann Savings Bank, Gloucester; John Bishop, boat builder, Gloucester; 44 fresh-fish dealers of T Wharf, Boston; and J. F. Snow, secretary Board of Trade, Gloucester, all in the State of Massachusetts, protesting the reciprocity treaty with Canada; to the Committee on Ways and Means.

By Mr. GARRETT: Petition of the General Assembly of the State of Tennessee, urging the immediate enactment of House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. GOULDEN: Petition of Colliers Weekly, against increase of postage on second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Petition of Geo. D. Boggs & Son, of Elizabethtown, Pa., against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. HENRY of Texas: Petition of many Italian citizens of Texas, favoring House bill 27270, to make October 12 a legal holiday, to be known as Columbus day; to the Committee on the Judiciary.

By Mr. HIGGINS: Petition of Ledyard Grange, Conn., against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of Hartford (Conn.) Court of Common Council, for Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of Groton Grange, of Connecticut, for a full and complete parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. HOWELL of New Jersey: Petition of Washington Camp No. 116, Patriotic Order Sons of America, of Elberon, N. J., against bill introduced by Delegate ANDREWS, relative to land in New Mexico; to the Committee on the Public Lands.

By Mr. HOWELL of Utah: Petition of citizens of Utah, for building of battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of Bingham Labor Union, of Utah, for the enactment of legislation restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of C. H. Carlquist, W. A. Clay, and other citizens of Utah, against increase of postal rates on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Decker Patrick Co., Shupe Williams Co., Syms Utah Grocer Co., and other firms in Utah, against passage of a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HILL: Petition of Court of Common Council, Hartford, Conn., for reciprocity with Canada; to the Committee on Ways and Means.

Also, petition of Easton Grange, No. 149, for a full and complete parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Rippowam Grange, No. 145, of Springdale, Conn., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: Petition of the Seattle Chamber of Commerce, for legislation making available Alaskan coal; to the Committee on the Territories.

Also, petition of citizens of Washington, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petition of citizens of Alcade, Normal, and Xena, Ky., for more restrictive immigration laws; to the Committee on Immigration and Naturalization.

By Mr. KELIHER: Petition of Legislature of Massachusetts, favoring Canadian reciprocity; to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of Washington Camps Nos. 646, Stovertown; 779, Hunterstown; and 783, Stewartstown, Pa., Patriotic Order Sons of America; to the Committee on Immigration and Naturalization.

By Mr. LANGHAM: Petition of American Paper and Pulp Association and Susie S. Gouer, of Leechburg, Pa., against increase of postage on magazines; to the Committee on the Post Office and Post Roads.

Also, petition of Stull Hill Coulter Co., Leechburg, Pa., for Senate bill 5899; to the Committee on the Judiciary.

By Mr. LAWRENCE: Petition of J. Franklin Jameson, Alfred T. Mahan, and John B. McMaster, executive committee of the American Historical Association, for a national archives building; to the Committee on Public Buildings and Grounds.

By Mr. LOUD: Petition of J. V. O'Brien and 25 other residents, of Midland, Mich.; D. S. Ross and 43 other residents, of Gladwin County, Mich., for a general parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. H. S. Bristol and 80 others of the Wolverine Woman's Christian Temperance Union, for the Miller-Curtis bill; to the Committee on the Judiciary.

Also, petition of J. William Anderson, of Harrisville, Mich., against the establishment of a local rural parcels-post service; to the Commitee on the Post Office and Post Roads.

By Mr. McCALL: Petition of Board of Trade of Somerville, Mass., favoring Boston Navy Yard for construction of revenue cutters; to the Committee on Naval Affairs.

By Mr. McMORRAN: Petition of E. L. Sawyer and others, of Almont, Mich., favoring the Miller-Curtis bill; to the Committee on the Judiciary.

Also, petition of residents of Memphis, Tenn., against Senate bill 404 and House joint resolution 17; to the Committee on the District of Columbia.

Also, petition of residents of Macomb County, Mich., for a general parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Table Rock, Julian, Elmwood, Havelock, and Lincoln, Nebr., against a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of College View and other localities, against Sunday legislation for the District of Columbia; to the Committee on the District of Columbia.

By Mr. MALBY: Petitions of Champion Paper Co., Carthage; Diana Paper Co., Harrisville; H. J. Bull, F. A. Parsons, and E. J. Pickett, of Saranac; Hon. John B. Riley, county judge of Clinton County; Hon. A. G. Senecal, mayor of Plattsburg; Hon. John M. Wever and G. F. Tuttle, of Plattsburg; Mark Teirney, sheriff of Clinton County; Wallace Turner, president Clinton County Agricultural Society; Messrs. Weeds, Conway & Cotter, Plattsburg; J. W. Hinxson, W. B. Graves, C. W. Smith, L. E. Gale, E. P. Gale, and W. B. Britton, of Piercefield; Joseph T. Weed, secretary Business Men's Association, Ticonderoga; Gouverneur Dairy Board of Trade, by William T. Clark, secretary; Farmers and Grangers, of Depeyster; Farmers and Grangers, of Hammond; St. Lawrence County Pomona Grange; Mooers Grange, No. 837; Edwards Grange, No. 968; Richville Grange, No. 942; Wadhams Grange; Russell Grange, No. 1037; Kendrew Grange; Macomb Grange, No. 768; Bombay Grange, No. 924; Nicholville Grange, No. 797; Gouverneur Grange, No. 303; Whallonsburg Grange, No. 954; Sherman Grange, No. 1128; Scotch Bush Grange, No. 699; Adirondack Grange, No. 971; West Parishville Grange, No. 542; Burke Grange, No. 932; Harriettstown Grange; Peru Grange, No. 938; Clinton Grange, No. 1029; Malone Board of Trade; Chateaugay Board of Trade; Essex County Agricultural Society; St. Lawrence County Dairymen's Board of Trade; Adirondack Grange, No. 927; Ticonderoga Grange, No. 1130; Brasher Falls Grange, No. 554; and Chazy Grange, No. 981, all in the State of New York, against House bill 32216, to promote reciprocal trade relations with Canada; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Petition of Eugene A. Kemper, James K. Fennell, Joseph W. Bowers, J. A. Canfield, J. H. Rathburn, H. F. Williams, William J. O'Connor, John J. O'Connor, and Alfred S. Bletz, of Philadelphia, Pa., against the increase of mail rates on magazines; to the Committee on the Post Office and Post Roads.

Also, petition of the Manufacturers' Club of Philadelphia, Pa., protesting against the enactment of the reciprocity agreement; to the Committee on Ways and Means.

Also, petition of Belsano Council, No. 182; Francis Daniel Pastorius Council, No. 1; Latrobe Council, No. 80; American Star Council, No. 49, Order of Independent America, favoring enactment of illiteracy test; to the Committee on Immigration and Naturalization.

Also, petition of the Consumers' League of Philadelphia, for House bill 27068, providing for a children's bureau; to the Committee on Expenditures in the Interior Department.

By Mr. O'CONNELL: Petition of Legislature of Massachusetts for reciprocity with Canada; to the Committee on Ways and Means.

By Mr. RUCKER of Colorado: Petition of W. B. Longwith and others, of Eaton, Colo., for House bill 53; to the Committee on Rivers and Harbors.

By Mr. SIMMONS: Petition of Local Union No. 1151, United Brotherhood of Carpenters and Joiners of America, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Michigan: Petition of Fenton B. Beebe and 21 others, of Holly, Mich., against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petitions of members of Grange No. 1418, Baraga County; Delta Grange and 37 others, of Delta County; Joseph Fornan and 29 others, of Wexford County; George Schulty and 11 others, of Ottawa County; S. J. Harvey and 27 others, of Iron County; E. L. Clark and 21 others, of Clinton; Peter Peterson and 19 others, of Mason County, all in the State of Michigan, for a general parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of John Britting and 11 others for a parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. STURGISS: Petition of Walls & Shaffer Co. and Frank T. Shaeffer, Kingwood, W. Va., against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. SWASEY: Petition of Sandy River Grange and Mount Cutter Grange, No. 152, in the State of Maine, against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of citizens of East Livermore, Me., for eight-hour day and for the construction of the battleship *New York* in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petitions of Progressive Council, Farmington and Crystal Lake Council, Weld, Me., Junior Order United American Mechanics, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. SULZER: Petition of Military Order of the Loyal Legion of the United States Commandery of Pennsylvania, for change of name of United States Avenue to Hunt Avenue on the field of Gettysburg; to the Committee on Military Affairs.

By Mr. TILSON: Petition of court of the common council, Hartford, Conn., for reciprocity with Canada; to the Committee on Ways and Means.

Also, petitions of Hoddam Neck Grange, No. 177, Easton Grange, Groton Grange, and Ledyard Grange, for a full and complete parcels post; to the Committee on the Post Office and Post Roads.

By Mr. WANGER: Resolutions of the Philadelphia Board of Trade, in favor of additional pay for ocean-mail steamship service; to the Committee on the Merchant Marine and Fisheries.

By Mr. WEBB: Petition of Cullasaja Council, No. 158, Franklin; Rohebeth Council, Terrell; and Sandford Council, Sandford, Junior Order United American Mechanics, in the State of North Carolina, for House bill 15413; to the Committee on Immigration and Naturalization.