SENATE.

MONDAY, *August 19, 1912.*

The Senate met at 10 o'clock a. m.

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

Mr. GALLINGER took the chair as President pro tempore, under the order of the Senate of August 17, 1912.

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

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Utah suggests the absence of a quorum. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Lodge	Smith, Mich.
Bourne	Cummins	Massey	Smoot
Brandegee	Curtis	Myers	Thornton
Bristow	du Pont	Nelson	Tillman
Bryan	Fall	Overman	Townsend
Catron	Fletcher	Page	Warren
Chamberlain	Gallinger	Perkins	Works
Clapp	Heyburn	Pomerene	
Crane	Johnston, Ala.	Simmons	
Culberson	Jones	Smith, Ga.	

Mr. THORNTON. I wish to announce the necessary absence of my colleague [Mr. FOSTER]. I ask that this announcement may stand for the day.

The PRESIDING OFFICER (Mr. NELSON in the chair). Only 37 Senators have answered to their names—not a quorum. The names of the absentees will be called.

The Secretary called the names of absent Senators, and Mr. OLIVER answered to his name when called.

Mr. McCUMBER and Mr. MARTIN of Virginia entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty Senators have answered to their names. A quorum is not present.

Mr. GALLINGER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. WETMORE, Mr. CRAWFORD, Mr. DILLINGHAM, Mr. SMITH of Maryland, Mr. CHILTON, Mr. NEWLANDS, Mr. SMITH of Arizona, and Mr. LA FOLLETTE entered the Chamber and answered to their names.

The PRESIDING OFFICER (at 10 o'clock and 34 minutes a. m.). Forty-eight Senators have answered to their names. A quorum of the Senate is present.

Mr. GALLINGER. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 133) appropriating the sum of $20,000, out of money appropriated by Senate joint resolution No. 129, for subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 26321) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed 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. 24565) making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PADGETT, Mr. GREGG of Texas, and Mr. FOSS managers at the further conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 2904. An act to confer upon the Commissioners of the District of Columbia authority to regulate the operation and equipment of the vehicles of the Metropolitan Coach Co., and to provide for transfers between said company and the Capital Traction Co. and the Washington Railway & Electric Co.;

H. R. 606. An act for the relief of John Treffeisen;

H. R. 17483. An act amending sections 1998, 1420, and 1624 of the Revised Statutes of the United States and to authorize the President in certain cases to mitigate or remit the loss of rights of citizenship imposed by law upon deserters from the military or naval service and to authorize certain reenlistments in the Army and naval service;

H. R. 19190. An act for the relief of John P. Risley;

H. R. 24646. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 26278. An act amending paragraph 10 of section 8 of an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, as amended by section 2 of an act entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses," approved August 19, 1911.

ESTIMATES OF APPROPRIATIONS (S. DOC. NO. 932).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting estimates of appropriations in the total sum of $22,307.50 to provide for the purchase of necessary furniture, supplies, and equipment for the accommodation of the proposed temporary additional force in the Pension Office, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL LIBEL LAW.

The PRESIDENT pro tempore presented resolutions adopted by members of the National Ethical Press Association, praying for the enactment of a national libel law to conform to the laws governing the Interstate Commerce Commission, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (H. R. 21826) validating certain homestead entries, reported it without amendment and submitted a report (No. 1050) thereon.

Mr. MARTIN of Virginia, from the Committee on Commerce, to which was referred the bill (S. 7457) to authorize the city of Chicago to construct a bridge across the Little Calumet River at Indiana Avenue in said city, reported it without amendment and submitted a report (No. 1049) thereon.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 6105) for the creating of country parks and community centers, and referring especially to one created in the State of Montana, in the Fort Shaw unit of the Sun River reclamation project, reported it with amendments and submitted a report (No. 1051) thereon.

ROY C. SMITH.

Mr. SMITH of Michigan. On the 17th instant I submitted a resolution, being Senate resolution 382, authorizing an investigation into the case of Roy C. Smith, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I move that that committee be discharged from the further consideration of the resolution and that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

PINEY BRANCH ROAD.

Mr. POMERENE. I am directed by the Committee on the District of Columbia, to which was referred the bill (H. R. 21708) to authorize the lighting of Piney Branch Road from Georgia Avenue to Butternut Street, to report it without amendment. I ask unanimous consent for the present consideration of the bill.

Mr. SMOOT. Let the bill be read.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill.

Mr. McCUMBER. Mr. President, I do not know that I have any objection to the present consideration of the bill, but I should like to know why, in a particular instance, it is necessary for Congress to take the matter out of the hands of the District Commissioners and to pass special legislation for the

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lighting of one particular street, while all other street lighting must depend upon the action of the commissioners?

Mr. POMERENE. Mr. President, I do not know that I am fully advised about the matter, save that this bill was approved by the District Committee of the House and unanimously passed by the House. The commissioners, as I understand, have opened up or attempted to open up a short thoroughfare called Butternut Street, I believe, and they thought that traffic would be diverted through that street; but their judgment about that has been shown to be erroneous, I understand, as has been demonstrated by a committee which presented certain data to me. While the commissioners were of the opinion that the traffic could all be diverted through Butternut Street, as a matter of fact, by actual count, there were, on March 30, 1912, 486 foot passengers, vehicles, and persons on horseback passing through Piney Branch Road, while there were only 197 on that same day passing over Butternut Street. I am also advised by Rev. Father F. X. Bischoff, whose church is in that vicinity, that probably 100 or more of his parishioners pass over this street. It is very dark and rather secluded, and it is really dangerous for people to pass along there in the early morning or at night. This street has been kept lighted for a matter of thirty-odd years, until suddenly the lights were taken off the street. I believe, under the circumstances, that the bill should pass, and at least one other Senator, who has been over the street, said to me that he wondered why it was not lighted. I feel that it is a street which should be kept lighted.

Mr. McCUMBER. Does not the Senator think that, if the Commissioners have made a mistake, they may yet be amenable to reason, and that if the error can be shown clearly to them they can be trusted to rectify it and take care of the lighting system, without imposing upon Congress the determination of the question as to what streets shall be lighted, what streets shall not be lighted, and how they are to be lighted?

I probably could select quite a number of streets in the city which I think are insufficiently lighted; but it seems to me an exceedingly bad precedent, and one which I certainly have not heard of since I have been in the Senate, that Congress shall interpose its opinion as against that of the commissioners in reference to the lighting of a particular street.

Mr. POMERENE. Possibly the Senator from North Dakota is correct as a general proposition. I myself have not had any conference with the District Commissioners; but I know that the people in that part of the city are very much disturbed about this matter. This bill has already passed the House, and I feel that under the circumstances it should be passed by the Senate, so that this street may be furnished with light. I understand the expenditure will amount to about $240 a year.

Mr. McCUMBER. I suppose we ought not to have a condition existing in which it is dangerous for a man to go to church; so I will not make any objection, although I think the precedent is rather a bad one.

Mr. POMERENE. I am very glad the Senator withdraws his objection. I have no doubt an invitation will be extended to the Senator to visit the church to which I have referred.

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

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

STEPHEN CAMPBELL AND ISAAC OVERDORF.

Mr. OLIVER. From the Committee on Claims I report back favorably without amendment the bill (H. R. 6722) for the relief of Stephen Campbell and Isaac Overdorf. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Stephen Campbell and Isaac Overdorf the sum of $100 each as reward for their services in capturing three burglars who attempted to rob the United States post office at Jersey Shore, Pa.

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

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. JONES submitted an amendment relative to the location or entry of coal lands in Alaska under the coal-land laws of the United States prior to November 12, 1906, etc., intended to be proposed by him to the general deficiency appropriation bill (H. R. 25970), which was referred to the Committee on Appropriations and ordered to be printed.

SEAMEN IN THE MERCHANT MARINE.

Mr. LA FOLLETTE submitted an amendment intended to be proposed by him to the bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed up the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen, which was referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—ELIJAH WATTS.

On motion of Mr. SHIVELY, it was

Ordered, That the papers accompanying the bill (S. 7334) for the relief of Elijah Watts, introduced in the Sixty-second Congress, second session, be withdrawn from the files of the Senate, no adverse report having been made thereon.

REDUCTION OF TARIFF DUTIES.

Mr. NEWLANDS. I ask that the resolution introduced by me on the 17th instant, being Senate resolution 381, to appoint a committee of three Members of the Senate and three from the House of Representatives to confer with the President with a view to harmonizing the differences now existing between Congress and the President regarding the reduction of excessive duties be changed from a Senate to a concurrent resolution, in order to perfect it.

The PRESIDENT pro tempore. That is the Senator's privilege. It will be so ordered.

Mr. NEWLANDS. I ask unanimous consent that the concurrent resolution be considered and voted upon to-morrow before 5 o'clock.

Mr. HEYBURN and Mr. SMOOT. I object.

The PRESIDENT pro tempore. Objection is made. If the Senator from Nevada will send the concurrent resolution to the desk, it will take the place of Senate resolution No. 381, which resolution will be indefinitely postponed.

Mr. NEWLANDS subsequently said: I give notice that to-morrow during the morning hour I shall move that Senate concurrent resolution No. 29, for the appointment of committees of conference on the part of the Senate and the House of Representatives to confer with the President with reference to an adjustment of the differences on the tariff, be taken up for consideration.

Mr. SMOOT. The Senator from Nevada gives notice to that effect?

Mr. NEWLANDS. I give notice.

THE NATIONAL UNIVERSITY (S. DOC. NO. 792).

Mr. OLIVER. I present an abstract of an address on the National University, delivered before the National Education Association, at Chicago July 9, 1912, by Edmund J. James, Ph. D., LL. D., president of the University of Illinois. I ask that the paper be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA (H. DOC. NO. 913).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on the District of Columbia, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the Sixth Annual Report of the Juvenile Court of the District of Columbia, for the year ended June 30, 1912.

WM. H. TAFT.

THE WHITE HOUSE, *August 19, 1912.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

NAVAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing 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. 24565) making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes, further insisting upon its disagreement to the amendments of the Senate, and asking a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PERKINS. I move that the Senate further insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. PERKINS, Mr. LODGE, and Mr. TILLMAN conferees at the further conference on the part of the Senate.

RELIEF OF AMERICAN CITIZENS IN ARIZONA.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 133) appropriating the sum of $20,000, out of money appropriated by Senate joint resolution No. 129, for subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico, which were, to strike out all after the resolving clause and insert:

That out of the money appropriated by Senate joint resolution 129 (Public resolution No. 49) providing for transportation of American citizens fleeing from threatened danger in the Republic of Mexico, there may be expended, until December 10, 1912, in the discretion of the Secretary of War, not to exceed $20,000 for the subsistence of American citizens who shall have fled, or who may hereafter flee, from the Republic of Mexico into the States of the United States bordering on the Republic of Mexico, and who are now and who may hereafter be unable to pay for their own subsistence.

And to amend the title so as to read: "Joint resolution appropriating the sum of $20,000 out of money appropriated by Senate joint resolution No. 129, for subsistence of American citizens who shall have fled, or who may hereafter flee, from threatened danger in the Republic of Mexico into the States of the United States bordering on the Republic of Mexico."

Mr. SMITH of Arizona. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 26321. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

QUESTION OF PRIVILEGE—MEXICAN AFFAIRS.

Mr. FALL. Mr. President, I rise to a question of privilege.

A short time ago I addressed the Senate upon a Senate joint resolution (No. 129) then pending touching certain claims of American citizens against Mexico. A short time afterwards, something like a week, there appeared in the papers of the country, sent out through the Associated Press, I presume, a statement referring to my remarks, which statement purported to come directly from Mr. Madero, who is the recognized President of the Republic of Mexico.

I have not heretofore taken up the matter, believing that Mr. Madero would find himself mistaken, possibly, in some of the statements he made as to the effect of my action or what he claimed I had done in the premises outside of the Senate Chamber. But apparently Mr. Madero retains the opinion which he claimed to entertain at that time. I ask that the article referred to be read from the desk.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Sunday Star, Washington, D. C., Aug. 11, 1912.]

MEXICO BLAMES FALL FOR FAILURE AT PEACE—SENATOR CRITICIZED IN OFFICIAL STATEMENT VOICING VIEWS OF MADERO.

MEXICO CITY, *August 10, 1912.*

Mexico blames Senator FALL, of New Mexico, for its failure to come to peace terms with Gen. Pascual Orozco, rebel leader. President Madero came to this conclusion to-day, and it was based principally upon reports he received from Government agents at El Paso. He made his views known in an official statement issued by the department of the interior by his authorization.

Practically all hope of negotiating peace terms with the rebels now has been abandoned by the Government. Rafael Hernandez, minister of fomento, who conducted negotiations with Orozco near El Paso, has gone to Lower California to study irrigation conditions.

PART OF SENATOR FALL.

It is understood here Government agents at El Paso reported that Senator FALL played more than a passive part in frightening Orozco off. Just what action was taken the Government does not pretend to know, but it is intimated he might have communicated directly to Orozco sentiments expressed in his recent speech in the Senate on the Mexican situation.

"It seems that Orozco had accepted the conditions," says the official statement, "when he brusquely and without a known motive changed his attitude completely. There is no official data on the causes which brought about this change, but from reports that have been received it seems that the determination of Orozco was influenced by the efforts of an American Senator, A. B. FALL, who lately delivered in the Senate a speech filled with criticism of the Mexican Government."

OROZCO'S PROPOSITION.

Orozco's proposition was that he be permitted to leave the country, but it was not definitely specified where he expected to go. This left the United States as a possible chance, and Government officials now are inclined to believe he expected to join his wife in California.

Senator FALL has demanded that Orozco be held personally responsible by the United States for acts committed against Americans.

Mr. FALL. Mr. President, I have some knowledge of Mexican affairs and Mexican conditions, and I have sources of information from Mexico and from the border which possibly are not open to other Senators, by reason of the fact that for a great many years I have operated somewhat extensively in the Republic of Mexico—in fact, for something like 30 years past, in various States of that Republic—and I am constantly in receipt of communications from various persons in Mexico. Of course, this situation is so delicate that I am not justified in mentioning names of parties or persons from whom I obtain my information.

In making the speech referred to in Mr. Madero's communication, the statements contained therein were made upon what I believed to be sources of information that could not be controverted. The speech, however, was more in the nature of a criticism of the actions of the departments of this Government than upon the government of Mr. Madero, because I thought then and I think now Mr. Madero is incapable of coping with the situation in Mexico, granting that he desires to do so.

As to the sources of Mr. Madero's information, it appears from his own statement that his information came to him from a Government agent, presumably the Mexican consul in the city of El Paso. I have no hesitancy in naming this agent of Madero in the city of El Paso. Mr. Llorente has undoubtedly furnished Mr. Madero with the information upon which his statement was made. Mr. Llorente is now the consul of Mexico at El Paso, and he is there very officiously engaged in watching the United States officials through something like 400 paid spies; also watching the citizens of El Paso and watching the citizens of the United States; watching the troops of the United States who are endeavoring to enforce the neutrality laws; making complaints against American and Mexican citizens; having them incarcerated under the extradition treaty with Mexico in the jail of El Paso for 40 days, without trial. He not only conceives that upon him rests the responsibility of the execution of the neutrality laws of the United States, but that it is often incumbent upon him to assist Mr. Madero, at least, in running the Mexican Government itself. This gentleman is a man of very great importance in his own eyes, at least, and seems to be convinced of his ability to run the Government of the United States or to conduct its affairs on the border, as well as to tell Mr. Madero what he shall do.

Mr. President, the conditions in Mexico at the time this statement was made by Mr. Madero were practically these: Mr. Pascual Orozco is in command of certain revolutionists in the northern part of the Republic consisting, I presume, at the outside of 8,000 armed men. Mr. Zapata is in command of something like 23,000 well-armed men in certain other States of the Republic. Military rule has been declared by the Mexican Government in practically every State of the union. Peace negotiations, it is said, had been inaugurated by Mr. Madero; and at the time when Hernandez came around through the United States and crossed the river at Juarez to meet Mr. Orozco with this proposal of peace three Members of Congress and, I believe, one member of the Mexican cabinet were in negotiation with Zapata to the same end.

It is unnecessary, or it should be, it seems to me, to say that the charge made by Mr. Madero is ridiculous. I, however, enter an emphatic denial that I have had any communication with Mr. Orozco, or any other revolutionist in Mexico, any more than I have had with Mr. Madero or any of those who are acknowledging allegiance to his so-called government. I am not in negotiation with either party, and I am not trying to act for one or the other or to interfere with the actions of either, except to undertake to impress upon the minds of the people of the United States that the present condition in the Republic of Mexico can not continue, and Senators will discover that to be the case in a very short time.

I say very frankly, from the knowledge I have, that present conditions in Mexico can not last very much longer in justice to the citizens of the United States who are there, and in the name of humanity they should not continue.

Now, further, Mr. President, the idea suggests itself to me that Mr. Madero has gone further possibly than he intended the world to know in making public a statement in reference to my supposed connection with Mexican affairs. I am convinced that as a matter of recognized international law, or rules of war, Mr. Madero has officially notified the governments of the world and the people of the world of the fact which those of us cognizant with Mexican affairs, as I am, knew before, that President Madero has recognized the belligerency of the revolutionists headed by Orozco, Zapata, and the junta, at the head of which is probably Gomez. The United States and the people are notified by this statement of Madero that he, representing that Government, has heretofore recognized and is now recognizing the belligerency of the revolutionists.

Mr. CULBERSON. Mr. President, I have nothing to say at this time on the particular matter referred to by the Senator from New Mexico [Mr. FALL]. I take occasion, however, to say that, as one of the Senators from the State of Texas, I

have watched the situation in Mexico very carefully and have been in constant communication with the State Department here with reference to the matter. I happen to have with me a copy of a telegram sent me by Secretary Knox on this general subject, which I ask to have read at the desk. It shows what the State Department is doing with reference to the protection of the property and lives of Americans in the Republic of Mexico.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[Telegram.]

DEPARTMENT OF STATE, *July 30, 1912 (11.40 a. m.)*.

The Hon. CHARLES A. CULBERSON,
United States Senate:

In response to your telephonic inquiry of the department this morning, I have the honor to inform you that the present truculent attitude of the Mexican insurrectionists in the vicinity of the Mormon colonies in northwestern Chihuahua was brought to the attention of the department late Sunday afternoon by the consul at Juarez. Telegrams were dispatched the same evening to the consul, instructing him to keep the department constantly informed and to report all developments, and to the embassy at Mexico City, instructing it to lay the situation before the Mexican Government and to say, with all possible earnestness, that the Government of the United States expects that the Mexican Government will immediately exert every possible effort to relieve the situation and to adequately protect American life and property.

Monday afternoon a second telegram was received from the consul, in which he states that the Mexican consul at El Paso having charge of the Mexican Federal troops north of Casas Grandes had promised to give orders immediately to crowd the rebels in that section. The consul adds that about 300 American refugees, mostly women and children, had arrived at El Paso Sunday night and more were to follow. He states, however, that the excitement seems to be disproportionate to the cause therefor and voices his opinion that the situation will improve as soon as the promised advance of the Federal soldiers begins. The department deemed it advisable, nevertheless, to have the consul remind the insurrectionary leaders that the persons and property of American citizens in Mexico must not be molested, and accordingly instructed him, in a telegram sent last night, to say to the insurrectionary leaders that any molestation of Americans or American property would be intensely resented by the American Government and people and that the insurrectionists must not maltreat Americans or American property in any way.

P. C. KNOX,
Secretary of State.

Mr. FALL. Mr. President, I have no doubt the Senator from Texas, as a Senator from that State, has done everything in his power which he thought best to do to secure the protection of citizens of Texas as well as of the other States of this Union. I think at the same time that the Senator from Texas, from his personal knowledge of the circumstances under which I have lived and done business on the border, will himself say that I possibly possess as well-founded information, possibly from as competent sources of information, as even the State Department of the United States.

While the Senator from Texas has been keeping up with Mexican affairs as the State Department imparts information to him, I have been getting my information from sources which are superior, apparently, to those of the State Department of the United States, giving the State Department all credit for acting in perfect good faith. If the department is so doing, as I have no doubt it is, then I think, of course, its sources of information are not as correct as they might be.

I have here, sir, lying before me at this moment statements from authorities which, if I could give the names, would convince Senators that the information just given as to conditions in Mexico is absolutely unfounded. I have the information here from undoubted sources that there are, at the outside, to-day 420 so-called Federal troops in the northern part of the State of Sonora to guard the frontier posts of customs, the ports of entry, the great mining camps of Cananea, Nacozari, and others, and all the settlements in the entire northern portion of Sonora. I have a statement here, from men whose word is as good as that of any man connected with the State Department of the United States, whose homes are being threatened, that at least one community of Americans have got together and are now under arms in the State of Sonora, and over 300 strong, and in another mining camp of 2,000 Americans, where $60,000,000 of American property is involved, those Americans are banded together and they have determined to protect themselves. I have a statement here from undoubted authority, but I do not dare to mention names, because some of them fear that their lives would be forfeited if their names were published.

I know that within the last 30 days 200 rifles have been bought from one store in Arizona by American residents of the State of Arizona, who have declared it to be their intention that when the first American is killed in the State of Sonora they will go across the border. I know there are 2,000 people in the vicinity of the border—American citizens—who understand the conditions as well as any men can understand them, and that they have made up their minds that the persecution and murder of American citizens must cease.

Now, it seems that Orozco has moved out of Juarez and has gone west into Sonora with the idea of joining other revolutionists who have preceded him within a short period and who have so far made their way unimpeded, according to the newspaper reports, which are borne out by other information within my possession.

It is within the knowledge of Senators who have read the Associated Press dispatches within the last day or two that about 20 Americans have been reported surrounded and battling in a small Sinaloa town for nearly a week, and that the Madero Government is impotent and can give them no protection whatsoever.

Mr. BACON. Before the Senator takes his seat, I would like to ask him a question. During the time when the Senator was first addressing the Senate this morning my attention was necessarily diverted and I did not hear what he said. I wish to inquire of the Senator if he is proposing any special action on the part of the Senate?

Mr. FALL. I am not. I will state to the Senator from Georgia that I rose to a question of privilege, simply, respecting a public statement made by Mr. Madero to the effect that I was interfering with peace negotiations in Mexico. The latter portion of my remarks were brought out by the fact that the Senator from Texas [Mr. CULBERSON] had read in connection with the remarks which I made on the question of privilege a statement from the State Department as to the conditions down there.

Mr. CULBERSON. If the Senator from Georgia will permit me, I may have misunderstood the Senator from New Mexico, but I understood him to suggest, at least tentatively, that the United States ought to recognize the belligerent rights of the revolutionists in Mexico.

Mr. FALL. I have carefully refrained, Mr. President, from making a personal suggestion in this matter. I did state, as a proposition of law, as I understand it, that Mr. Madero, notifying the world by public statement made by himself as President of Mexico that he has been in negotiations with Orozco; has notified the world that he has recognized the belligerency of the insurgents in Mexico. I stated that I understood this was all the insurgents in Mexico had ever asked of the United States—recognition of their belligerency.

Mr. BACON. The inquiry I wish to make of the Senator is this: The Senator portrays a very lamentable condition of affairs in Mexico, which we must all deplore. Of course, there must be something to be accomplished when matters of that kind are brought to the attention of the American Congress. I presume the Senator will recognize that if there was anything done it should be done by Congress and not by the Executive.

Mr. FALL. I think, without betraying any confidence, I can say that probably two months ago—it may be three months—I suggested something of that character to the Senator from Georgia.

Mr. BACON. Very well. Now, that is only preliminary to the question which I intended to ask the learned Senator. The main question I want to ask him is this: The Senator is probably more familiar with the conditions there than any other Member of this body, having personal acquaintance with some of the principal actors and being in a better position to judge of what their abilities are and their purposes and what the possible eventualities may be, and with an intimate knowledge evidently of the conditions, to say nothing of the knowledge of persons.

I presume the Senator would assume, and I will say every Senator should assume, that if any action is taken it should be governmental action, undertaken by the authority which the Constitution contemplates should be the authority to take such action, and that necessarily being action by Congress. The Senator, concerned as he is in this matter, and familiar as he is with it, what is the view the Senator has; what is the opinion of the Senator as to what action should be taken by Congress, if any, or does the Senator think any should be taken?

Mr. FALL. Mr. President, I have no hesitancy whatever in saying that my views, which I have endeavored to impress upon some of the Senators here individually and upon some, at least, of those charged with the administration of this Government, have been for months that the Mexican Government has not simply technically, but as a matter of fact, recognized the belligerency of Orozco and Zapata.

First, if the Senator will allow me, I will explain in a few words just the conditions as I understand they exist there to-day and whether they show any organized opposition to the Madero Government.

The revolution against Mr. Diaz was brought about by a revolutionary "junta," as it is called, or, as we would say, a committee. That revolution was successful, Mr. Madero in the

north joining one of the successful captains or generals of that revolution. That junta apparently has never been satisfied; it was not dissolved, as I understand it, during the election which succeeded the temporary incumbency of the Presidency by Mr. de la Barra. Mr. de la Barra succeeded Diaz as provisional President. A general election was called. The nominee of this revolutionary party for the Presidency was the incumbent, Francisco I. Madero; for the Vice Presidency, Vasquez Gomez, who had been chairman or head of or at least one of the leaders of the revolutionary junta.

Sometime during the campaign it is claimed that Mr. Madero called together a party of his adherents in the City of Mexico and succeeded in, as they called it, nominating, as a matter of fact, as we would view it, simply placing a ticket in the field composed of Francisco I. Madero for President, and Pino Saurez, of Yucatan, for Vice President. This action estranged from Madero the Vasquez Gomez faction and some of the Gomez people bitterly resented what was claimed by them to be the treachery of Madero.

They have claimed since that the election machinery was used exactly as it was used under the Diaz administration; that the men whom the party controlling the election machinery wanted elected both as President and Vice President were declared elected. It has been claimed by Madero's opponents that Vasquez Gomez really defeated Saurez for Vice President by a very large majority, even with the machinery of election in the control of the Madero convention. This is their claim; I am not stating it as my opinion, but simply as the claims made by revolutionists like Orozco and Zapata. Mr. Orozco had recognized Madero, in fact had put him in power, Orozco commanding the revolutionaries in the north. Zapata refused to recognize any Government until the final election for the Presidency. In other words, during the interim when De la Barra was President, Zapata retained his men under arms, refused to disband them and refused to surrender the Mexican regular forces. When the election came on Zapata's men insisted upon adhering to the original understanding and electing Gomez as Vice President.

Mr. Madero himself undertook to make peace with Mr. Zapata at that time, but his offers were rejected. Following Madero's election his former associates immediately demanded of him the carrying out of their "plan," as they call it, or the platform upon which he had been elected. The claim has been made by the "junta" and their followers that instead of carrying out the promises made in the platform and made to them Madero allowed the Mexican treasury to be looted of $62,000,000, of which there remains nothing now, and that the Government is being run upon money furnished them upon bonds at a very heavy rate of discount. It is claimed by the opponents of Madero that Zapata, who has never accepted or acknowledged Madero as president, still retaining those men under his command whom he commanded during the first revolution, has augmented their original number until he has now 23,000, fully armed and equipped, in the southern States and controlling various States in the Republic. Zapata claimed that the election was fraudulent, and that a new election should be held. Orozco still adhered to the Madero government until a few months ago, when, after having resigned several times, he finally forced the acceptance of his resignation as general some five or six months since.

Orozco claims that after he had delivered his parting address to his soldiers in the barracks at Chihuahua, Paucho Villa, who prior to the revolution had been an outlaw and a bandit with a price upon his head, but who later had fought in the Madero revolution and now commanded several hundred men with whom he claimed to be supporting the Madero "régime," dashed into the city of Chihuahua with his men with cries of "Kill Orozco! Kill Orozco!" Orozco immediately hurried back to the barracks. His troops were loyal to him. He repulsed Villa's band and drove them out of the city, and giving this action of Villa, which he claims was at the instigation of Madero, as one of his excuses assumed supreme command of his troops again. He then issued a "proclamation" and demanded the resignation of Madero and a new election. It is claimed that Orozco and Zapata are acting together, with the "junta" or committee in general command all demanding a new, and as they say, a fair election. As my information goes, and I think it is fairly correct, there have never been less than 20,000 armed men protesting against the Madero government since the Diaz overthrow. And my information is that there are now under arms against the Madero government more men than were engaged against the Diaz government. Ports are held by the revolutionists through which they can acquire arms and ammunition. The revolutionists control the port of Matamoros, opposite the town of Brownsville, in the State of the Senator from Texas. Through this port of Matamoros they have been obtaining arms and ammunition of war, which they have been sending down to Zapata's forces.

Those are about the conditions. On, I think, the 14th of March, the Congress of the United States passed an act authorizing the President of the United States whenever in his opinion there was domestic trouble in any foreign country contiguous to ours—of course referring to Canada on the north and Mexico on the south, and of course it being aimed at conditions in Mexico—and trouble in those countries would be fomented by furnishing arms or ammunition from this country, the President should have power to suspend the exportation of arms and munitions of war.

Under this resolution, as it was general in its terms, the President issued a proclamation to all citizens of the United States warning them to carry out the terms of the resolution. The ports of Juarez, of Colima, and such ports as were controlled by Orozco and the revolutionists of the north were closed to the exportation of arms and ammunition.

The ports of Vera Cruz, of Tampico, of Salina Cruz, and all the other ports on both sides of the Mexican Republic, both on the east and on the west, were left open. When the attention of the Government was called here publicly to the fact that arms and munitions of war were being furnished by Americans through those ports, through which they could reach Madero and his faction, of course the revolutionists, who were cut off from their source of supplies in the United States, conceived the idea—wrongfully, of course—that the President of the United States was undertaking to maintain Mr. Madero in power. They became, to a certain extent, incensed against the United States, as they thought the United States should not have allowed arms and ammunition to be exported to either faction, they regarding Madero simply as a usurper and as a leader of a faction, exactly as they regarded Orozco and Zapata, or Zapata having admitted that Orozco was in supreme command of the armed forces, and they both being answerable, or supposedly answerable, to the junta. They do not understand that the people of the United States do not regard the conditions there as they do; they do not understand that because Madero has been recognized as the President of Mexico, therefore we deal with him on a different plane from that upon which we deal with the revolutionists.

Mr. President, I have no desire to take up any further time of the Senate, but I felt compelled to make this explanation as shortly as possible before I could intelligently answer the question of the Senator from Georgia [Mr. BACON]. Mr. Madero himself, to my mind, if I know anything about the rules of war or of international law, by his action in openly sending commissioners to treat with Zapata and with Orozco for peace has notified the world that he has recognized the belligerency of these so-called insurgents. In the event the United States Government, through a resolution of Congress, was to recognize the belligerency of the insurrectionists, what would be the effect? Simply that thereafter damages which might accrue to American property or to American citizens within the country of the belligerents could not be collected against the Government of Mexico in the event Madero was successful. In the event finally that the insurgents were successful, such damages could be claimed and collected against the Government of Mexico in the event they constituted, or the parties that they supported constituted, the Government of Mexico. That would be the only effect of a recognition of belligerency. Such a recognition of belligerency would simply leave those people there to their own resources. If we had recognized the belligerency of the insurrectionists, there would have been no reason for their robbing stores to get ammunition and for their robbing American citizens down there of their arms and ammunition, leaving them unprotected; there would have been no reason for their seizing all the supplies that they have seized and stripping the stores upon which the colonists and others there are dependent for their source of supplies. They could have gotten their supplies from across the river just as they had gotten them from identically the same men from whom they obtained arms, munitions, and supplies when they were engaged in behalf of Mr. Madero in overthrowing the Diaz government.

Mr. CULBERSON. Mr. President, while I do not desire to protract the consideration of this subject, yet I should like to say a word further before passing from it.

The Senator from New Mexico [Mr. FALL] intimated, as I caught his language, that my information with reference to the situation comes exclusively from the State Department. In that he is mistaken. I have received information on the general situation not only from personal acquaintances and friends

in Texas, at San Antonio and El Paso, for instance, but have had confidential letters from personal friends and from former Texans in Mexico itself. One of them I have in mind now from the City of Mexico. So I tell the Senator that, while I do not doubt the bona fides of the State Department with reference to the situation there, my own position is taken not entirely with reference to what has been done in the State Department, but is based also upon statements made to me by personal friends and acquaintances in Texas and in Mexico in whom I have the greatest confidence.

I did not intend to say what I am about to say, Mr. President, when I rose, but nevertheless I will say it, that I do not believe that the situation in Mexico justifies intervention on the part of the United States, because that would be practically a declaration of war and involve this country in strife with Mexico wholly unnecessary. Nor do I believe the situation justifies or calls for the recognition of the belligerent rights, so called, of the insurgents, because, among other things, I have no doubt that it would unnecessarily prolong the conditions now existing of disturbance in that Republic.

For this reason I am personally opposed either to intervention or to the recognition of the belligerent rights of the insurgents in that country. The recognition of belligerent rights, I repeat, would tend to bring about a continuation, not a cessation, of the disturbed conditions now existing in Mexico.

NATIONAL SOLDIERS' HOME, SANTA MONICA, CAL.

Mr. WORKS. I ask unanimous consent for the present consideration of calendar No. 920, Senate resolution 160, providing for an investigation of the management of the branch National Home for Disabled Volunteer Soldiers, Santa Monica, Cal.

There being no objection, the Senate proceeded to consider the resolution which had been reported by Mr. BRIGGS on the 15th instant from the Committee on Military Affairs, with amendments.

The amendments of the Committee on Military Affairs were, on page 1, line 2, after the word "Senate," to insert "or a subcommittee thereof"; in line 4, before the word "branch," to strike out "such" and insert "the"; in the same line, after the word "branch," to strike out "home" and insert "National Home for Disabled Volunteer Soldiers at Santa Monica, Cal."; and on page 2, line 6, after the word "such," to strike out "counsel and," so as to make the resolution read:

Resolved, That the Committee on Military Affairs of the Senate, or a subcommittee thereof, be, and it is hereby, instructed to make full investigation of the condition and affairs of the branch National Home for Disabled Volunteer Soldiers at Santa Monica, Cal., and particularly to determine the nature of the treatment given at such home to the members thereof; and to report the facts and their findings to the Senate; and that said committee be authorized to sit during the sessions of the Senate and during any recess of the Senate or Congress, and hold its sessions at such place or places as it shall deem must convenient for the purposes of such investigation; to employ stenographers and such competent accountants as it may deem necessary; to send for persons and papers and to administer oaths, and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The amendments were agreed to.

The resolution as amended was agreed to.

The PRESIDENT pro tempore. The Chair will call the attention of the Senator from California to the fact that the committee reports to strike out the preamble, which usually is done; but the phraseology of the resolution will have to be changed if it is stricken out.

Mr. WORKS. Very well, let the preamble be stricken out.

The PRESIDENT pro tempore. Without objection, the preamble will be stricken out and the Secretary will make such changes as may be necessary in the resolution.

INDIAN APPROPRIATION BILL.

Mr. CLAPP. I ask that the Senate now proceed to the consideration of the conference report on the Indian appropriation bill.

There being no objection, the Senate resumed the consideration of the report of the committee on conference on the disagreeing votes of the two Houses on the bill (H. R. 20728) making appropriation for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1913.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. CURTIS. Mr. President, on Saturday the acting chairman of the committee suggested that an item in which an increase in the appropriation had been made over that requested by the department could be used for the purpose of providing district agents in Oklahoma. I regret to have to disagree with the Senator from Minnesota [Mr. CLAPP] and the junior Senator from Oregon [Mr. CHAMBERLAIN], who took the same position. The item referred to is in regard to special agents and inspectors who do work in every section of the country. The appropriation for that purpose is only $20,000 more than was estimated by the department for this class of work; so even if it could be used to supply agents for Oklahoma, there would be only $20,000 to do work which heretofore has cost $100,000. I desire to call the attention of the Senate to the law on this subject—section 6 of the act of May 27, 1908—which provides for district agents, and reads as follows:

SEC. 6. That the persons and property of minor allottees of the Five Civilized Tribes shall, except as otherwise specifically provided by law, be subject to the jurisdiction of the probate courts of the State of Oklahoma. The Secretary of the Interior is hereby empowered, under rules and regulations to be prescribed by him, to appoint such local representatives within the State of Oklahoma who shall be citizens of that State or now domiciled therein as he may deem necessary to inquire into and investigate the conduct of guardians or curators having in charge the estates of such minors, and whenever such representative or representatives of the Secretary of the Interior shall be of opinion that the estate of any minor is not being properly cared for by the guardian or curator, or that the same is in any manner being dissipated or wasted or being permitted to deteriorate in value by reason of the negligence or carelessness or incompetency of the guardian or curator, said representative or representatives of the Secretary of the Interior shall have power and it shall be their duty to report said matter in full to the proper probate court.

That simply shows that under the law these agents were given a specific duty. They must be citizens of Oklahoma and they must be residents of Oklahoma, and their work is limited, and therefore the act would not apply to them.

Mr. CLAPP. It is true that in 1908 Congress created an office known as district agent, and provided that the district agent should be a citizen of and be domiciled in the State of Oklahoma, but it is equally true that the capacity of a man to investigate a supposed fraud upon an Indian would not depend upon the fact whether he was a citizen of any particular State. My contention is that while I would have been glad to have got $100,000 for this purpose, the Interior Department, so far as authority is concerned, can send any agent into the State of Oklahoma to investigate those things which formerly were investigated by men who were heretofore designated as district agents, and there is not anything in the law to-day that prohibits inspectors and agents of the Government otherwise designated from performing the very functions that were placed upon the district agent. In the committee, as I recall, the officers of the department admitted that if they had the money to employ men they could perform this work; they could take these very same men and employ them.

Mr. CURTIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Kansas?

Mr. CLAPP. Certainly.

Mr. CURTIS. The officers of the department claim they can not do it, and they sent me this law as showing that they could not and have no authority under the provision to place these men to do the work of the district agent in Oklahoma.

Mr. CLAPP. While I am in hearty sympathy with the department in this matter, I do not propose to be placed in a wrong attitude.

I undertake to say that when a statute of the United States makes an appropriation for special agents and in that statute says "for any purpose not otherwise provided for by law," the appropriation, so far as the law goes, can be used for purposes not otherwise provided for by law. Whether, in the exigencies of the department, reducing this appropriation from $100,000 to the point to which it is reduced will permit the employment of these or other men for this purpose is a question which is involved in doubt, and upon which I cheerfully and readily accept the statement of the department. In the conference it was suggested—if we could only get money enough—that, under the liberal provisions of the section which authorizes money for special agents and other purposes not otherwise authorized by law the work could be carried on.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. CLAPP. With pleasure.

Mr. BORAH. It does not seem possible that the department has found itself under any restraint in employing agents.

Mr. CLAPP. Of course not, except in the amount of money available for that purpose.

Mr. CURTIS. I think the Senator from Idaho misunderstood my position. The law does authorize them, and the section referred to by the Senator from Minnesota authorizes the employment of special agents and inspectors. But the district agents are provided for in the act of May 27, 1908, and their

duties defined and the law says they must be local representatives within the State of Oklahoma or now domiciled therein.

Mr. BORAH. I was going to say if a statute had been passed which was sufficiently explicit and sufficiently binding to restrain the department in the use of money for special agents to the use for which Congress said it should be used, I think we should keep that law as a model to be followed for all time to come.

Mr. CLAPP. The provision which has been the law for a long time reads:

For pay of special agents at $2,000 per annum; for traveling and incidental expenses of such special agents, including sleeping-car fare, and a per diem of $3 in lieu of subsistence when actually employed on duty in the field or ordered to the seat of government; for transportation and incidental expenses of officers and clerks of the Office of Indian Affairs when traveling on official duty.

I call the attention of the Senator from Idaho to this language. Among the things enumerated are—

For transportation and incidental expenses—

Then—

For pay of employees not otherwise provided for; and for other necessary expenses.

There can be no question under that that the department, if it had the funds which it could spare out of this appropriation, could send the agents it now has, or that it could appoint these very men whose term of office may expire, to do the very duties which now devolve upon them by reason of their appointment.

Mr. President, whether the department can get along with the amount of money which we have appropriated is another question. I shared with them the hope to get the entire amount, and the question for the Senate to consider is whether having made the increased appropriation, having fallen far short of what the department says it requires for the purpose, in view of all the facts connected with the situation, the report should be sent back to conference.

Mr. TOWNSEND. Mr. President, I have been greatly interested in this discussion, and I have obtained some impressions which unless they are removed will compel me to vote to send this bill back to conference.

Every Senator who has spoken on this question admits or concedes that there has been great fraud practiced upon the Indians in Oklahoma, especially upon the incompetent ones there. The Senator from Kansas [Mr. CURTIS] has presented an array of proof, which no one has attempted to dispute. He has charged that that condition has been disclosed by these agents of the Government who have been sent out to look after these, our Indian wards.

The chairman of the committee, the Senator from Minnesota [Mr. CLAPP], has stated that he and his colleagues on the conference committee are in sympathy with retaining these agents; that they have done the best they could—and I do not dispute that—to retain this provision in the bill, but that the House conferees refuse to recede from the House position, and therefore we are compelled to continue this condition of fraud, are compelled to do so because we are approaching the close of this session and it is therefore necessary to pass this bill with the Senate provision eliminated.

Mr. President, if these frauds are admitted, and no one has denied that they do exist, and if by retaining these agents we can in a measure at least prevent these crimes against our Indian dependents in Oklahoma, I am in favor of remaining here until we can pass a bill which will remedy these flagrant wrongs. I can not bring myself to a point where I can consent to a continuation of admitted conditions which are about as bad as it is possible for me to imagine.

Mr. CLAPP. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Minnesota?

Mr. TOWNSEND. Certainly.

Mr. CLAPP. The statement of the Senator from Michigan as to what is admitted perhaps requires some qualification. Of course I am not prepared to say the fraud should go on. What I claim is that the Senate has added to what the House appropriated in certain funds, $65,000 in all, which, if the department can spare it from other uses, can be used for this purpose.

Mr. TOWNSEND. Then, may I ask the Senator a question——

Mr. CURTIS. Mr. President——

Mr. TOWNSEND. May I ask a question before the Senator from Kansas interrupts?

Mr. CLAPP. Yes.

Mr. TOWNSEND. Then, why, if the Senator from Minnesota believes there are sufficient funds——

Mr. CLAPP. The Senator from Michigan——

Mr. TOWNSEND. Why does he state that the Senate provision ought to be retained?

Mr. CLAPP. The Senator did not allow me to conclude.

Mr. TOWNSEND. I beg pardon.

Mr. CLAPP. Yes. When we get to the point whether or not the money appropriated will serve the purpose I am not prepared to say that the department can not prevent the frauds, nor am I prepared to say that the department can prevent them. Therefore, to be on the safe side, I have worked hard to get the entire amount asked for by the department.

Mr. CURTIS. I want to state that the increased appropriation is not $65,000. It is only $20,000 more than was asked for by the department.

Mr. CLAPP. I have not said we have increased it $65,000 over the estimates of the department. What I have said is that the Senate secured an increase in two items here of $65,000 more than what the House had voted, and those two items are items which could be used if the exigencies of the department permitted the use of the money for this purpose without too seriously crippling the work of the department in other directions.

Mr. MASSEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. TOWNSEND. Yes.

Mr. MASSEY. Will the Senator from Minnesota state to the Senate what are the objections to making the appropriation for these special agents?

Mr. CLAPP. I do not know just how far the conferees of either House would be warranted in stating the objections which the conferees of the other House made to an item. The matter first came up in the House Committee on Indian Affairs, and there the committee took the position that it would not this year make this specific appropriation. It then came up in the House, where the effort was made to make this appropriation; and the House, after thrashing out the matter, also decided that it would not make this specific appropriation. Of the conferees, I can say that two were absolutely insistent and unequivocally against it, except that they did consent to the Senate amendment standing with reference to these two other funds upon the theory that there might be some additional money that could be used for this purpose.

Mr. TOWNSEND. Mr. President, this I do know, that the Senate provided in express language for the retention of these agents. That provision has gone out. It is contended that possibly another appropriation or a portion of it can be used to retain these agents provided there is sufficient of that fund to do it. If it was simply a matter of economy that was sought, it would have been better to have reduced the other appropriation and retained the amount herein specified for this particular purpose. Then there could have been no possible ground for believing that these men would not be retained to uncover and disclose these wrongs against incompetent Indians.

Ever since I have been in Congress there has been an effort made to specify the particular objects to which an appropriation could be applied and to prohibit its use for any other object, and I have been in sympathy with that idea. That principle now quite generally maintains, and even if there was no specific law prohibiting the use of any of the general fund to employ agents in Oklahoma, and there is such a law, still under the principle to which I have referred no part of that general fund could be used to pay these agents.

I think I can see a reason for eliminating this specific appropriation. There can be no question that villainous land thieves and speculators have for years been exploiting the Indian and robbing him and his wife and children of their heritage, and the greatest check to their greed and crime have been the Federal Indian agents. The undisputed record here shows that these agents have discovered hundreds of frauds and have succeeded in having restored to these helpless Indians thousands of dollars and thousands of acres of land which had been unlawfully taken from them. I know that these criminals want no appropriation made for hiring detectives. These agents are performing a good work, and they ought to be retained, and there ought to be no doubt that they are to be retained.

Mr. McCUMBER. Mr. President——

Mr. TOWNSEND. Just a minute. Let me finish this. I remember a few years ago, almost at the beginning of this disturbance in the country called the insurgent movement, the then President of the United States was asking that certain agents be employed for the purpose of discovering if possible whether, under the Federal Government, wrongs were being perpetrated which might be prevented. At that time there was an argument used, viz, that the hiring of Federal agents to assist in the enforcement of law by discovering wrongdoers was an invasion of the rights of the States; and that these agents ought to be prevented from spying lest honest men might be

exposed to embarrassment. I did not like those arguments then. I do not accept them now.

It is sufficient for me to know that a great wrong is being perpetrated upon helpless and defenseless people, who must rely upon us for protection if they are to be protected, in order to go as far as statutory action can go to apprehend and punish the criminal and thus prevent him from capitalizing for his profit the ignorance and helplessness of our Indian dependents.

Mr. McCUMBER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from North Dakota?

Mr. TOWNSEND. I yield now.

Mr. McCUMBER. Mr. President, I simply wish to add one little matter in justification of what the Senator is stating. I was informed this morning, since our debate of Saturday, that one of the persons mentioned by the Senator from Kansas [Mr. CURTIS] who had received a lease for almost nothing is now controlling nearly 5,000 leases of the same character; that this person is somewhat of a power in the political field in that section of the country; and you can quite easily understand why it is that he would be very much interested in having these agencies abolished entirely.

Mr. TOWNSEND. Mr. President, it is the disclosure of all these undisputed things that leads me to say that I shall feel it my duty to remain here as long as it is necessary, even at the expense of a protracted session, to vote against any proposition which seeks to do away with these checks upon the shameful crimes which are shown to exist in Oklahoma to-day.

The PRESIDENT pro tempore. The hour of 12 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. CLAPP. I assume in view of the pendency of this conference report that the Senator from Iowa will allow the unfinished business to be temporarily laid aside.

Mr. CUMMINS. I would be glad to yield for the consideration of this report, but I have this to suggest to the Senator from Minnesota: I fear there is not a voting quorum in or about the Senate, and if his report will lead to a vote it will develop, in all probability, the absence of a quorum; then the Senate would be under the necessity of an adjournment, and thereby we would lose a good deal of valuable time. I ask the Senator from Minnesota, first, whether he believes we have a voting quorum here, and second, whether he believes the report will lead to a roll call?

The PRESIDENT pro tempore. If the Senator from Iowa will pardon the Chair, the Chair will suggest that he is informed there is a voting quorum, with a safe margin.

Mr. CUMMINS. Very well, with that assurance I ask unanimous consent that the unfinished business be temporarily laid aside, giving notice now that at the moment the report under consideration is disposed of I will ask the Senate to resume the consideration of the unfinished business.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered. The question is on agreeing to the conference report.

Mr. CATRON. Mr. President, before the vote is taken on this proposition, I wish to state that the people of New Mexico do not desire the proposed measure to be enacted into a law as agreed upon by the conference committee in reference to the Apache Indians at the Fort Sill Reservation, Okla. They are perfectly willing that the provision which was passed by the Senate when the bill in question was passed here should go into the law, but the conferees have omitted to insist, apparently, upon what was provided for by the Senate and have acceded to the House provision.

I wish to call the attention of Members of the Senate, in addition, to what my colleague said on Saturday to the character of these Indians. We do not desire to have them turned loose in our State, as the provision in the conference report provides shall be done. We prefer that they shall stay where they are or be sent to some other place. Those Indians have been the worst band of Indians that have ever existed upon the American Continent. They have been the most warlike; they have been the most desperate, the most bloodthirsty, and murdering crew that has ever existed. They for 60 years, until they were sent to the Mount Vernon Barracks, carried on war from time to time. During the Civil War they had the ablest chief who was ever at the head of any band of Indians—Mangus Colorado. When the Civil War broke out he attempted to bring together the entire Apache Nation, and, together with them, the Navajos of New Mexico sought to drive the entire white people out of that Territory. He succeeded in joining all the Navajos to the great mass of the Apaches and drove every man from the western side of New Mexico down into the Rio Grande Valley and practically depopulated it and destroyed every particle of property existing west of the Rio Grande Valley, east of the Arizona line, and for a long distance from the east of Arizona.

There was a conference had between him and Gen. West for the purpose of reaching terms of peace, and at it he was killed by the American soldiers in a very questionable way. That only added flame to the fury of these Apaches. But some time afterwards they, not having as vigorous and able a leader as he, agreed to go to the Warm Springs Agency, which is about 60 or 70 miles west of the Rio Grande, where an agency was fixed for them. At that place, they, having been very much decimated in their wars with the troops during the Civil War, were recuperated; their young people grew up, and about 8 or 10 years thereafter they were headed by another chief who was almost equal to Mangus Colorado, a chief named Victoria, whom you have all heard of. He went on the warpath, like his predecessor, and attacked the settlements all along the line, and destroyed their property in the western side of New Mexico and the eastern side of Arizona again. He took away the live stock, often shooting and killing them, driving them off, and appropriating the same to themselves. When they had entirely destroyed all the property on the west side of the Rio Grande they went down to the Rio Grande, crossed it, and went over on the west side where the Mescalero Indians are now living, and where they then lived. He did not go there for any other purpose except to force those Indians on the war trail in aid of himself and his acts. But those Indians had been at peace with the United States and with the Mexican Government for 60 or 70 years and did not desire to go on the war trail. Fights were had between them and the Mescaleros, and several Mescaleros were killed. Some of the younger men of the Mescaleros, seeing there was an opportunity to kill and an opportunity to acquire and destroy property, and being anxious to engage in such business, abandoned the Mescalero Tribe and joined themselves to Victoria's band, who were then called the Warm Spring Indians. They went back to the west side of the river, where they encountered our troops and were driven down into Mexico; then the Mexican troops there who attacked them killed Victoria and a large number of his band and drove them back to our side of the line again, where they were compelled to surrender to the United States troops.

They were then taken away from the Warm Springs Agency to the San Carlos Agency, in Arizona, where there were 3,000 other Apache Indians. They remained there, Victoria having been killed, five or six years or more, until they had again recuperated, their young men had grown up, and then, with Geronimo at the head of them, they again went on the warpath. This time they again decimated the eastern side of Arizona and the western side of New Mexico and destroyed every ranch, they took away and destroyed practically all the live stock, they drove every man back down into the Rio Grande Valley, where the settlements were, and held the country both on the eastern side of Arizona and western New Mexico, preventing settlement and occupation by the people for years.

Geronimo, after two or three years of warfare, being followed up by United States troops, finally surrendered and was taken under control by them and sent to the Mount Vernon Barracks, in the State of Alabama, where he, with his people, then consisting of about two or three hundred, were kept for about 10 years. After this they were transferred to their present habitat at Fort Sill, where there are now about 235 of them, or something like that number, according to the report which is presented here.

When they were taken to Fort Sill the Government provided for land for their occupation. They were held there as prisoners of war, but fifty-odd thousand acres of land were added to the Fort Sill Reservation for the purpose of accommodating these Indians and for their use. When they were placed there the Government built houses for them, furnished them farming implements, gave them live stock and everything to put them on a footing of supporting themselves. The Government furnished them with farmers—experts to instruct them how to cultivate the land. Since that time I understand they have succeeded well. They have advanced and are practically self-supporting. They are producing crops and producing enough products from the soil to support themselves.

It is now proposed by this procedure to take them from that place back to New Mexico, to relieve them from the charge of the military and turn them loose at the Mescalero Indian Reservation without providing a single thing for them in the shape

of houses, only taking back with them their live stock and other personal property and turning them loose upon the ground of the reservation.

That reservation is quite a large one, but it has not a great deal of agricultural land which can be irrigated. You must remember that when these Indians learned the art of agriculture at Fort Sill they did so where there was rainfall. There was no irrigation at that point. They would have to learn the art of irrigation; and an Indian, whenever he learns one thing at one place and is taken to another place, has to commence at the bottom again. He never knows anything that he has learned previously. In this case he will certainly have to commence at the bottom, because he knows nothing in the world about irrigating lands for cultivation.

But when he comes to that reservation there is no land which he can obtain for irrigation. Every foot of irrigable land, every drop of water that can be used on that reservation is now appropriated by the Mescalero Indians at that point. They will not meet Indians who are friendly to them; they will meet those who are hostile; and when they go there and undertake to take up land or appropriate water that those Indians are possessing it will bring on hostilities between the two bands. The result will be that these Indians will attempt to go on across the Rio Grande and take up their old place on the west side, and finally be turned loose on the settlers living there to commence depredating, killing, and murdering them.

If they have no land there that they can get to cultivate and no water that they can get to use for cultivation, what is the use of taking them there? When I say they have no land and no water I speak from personal knowledge. My colleague [Senator FALL] and I happen to be personally interested in the land and the water which is immediately west of this reservation. There is a single stream that rises on the reservation and flows down to the west, and there he and I have lands, as well as also do the settlers in the town of Tulerosa and other people of that vicinity.

Five or six years ago a suit was instituted on behalf of the people there in which these Indians were a party through the Government coming in voluntarily to determine the water rights in that stream and the only water rights that exist there. There was a decree entered adjudicating to each party a certain portion of the water to which they were entitled as their rights. The amount of water that was adjudicated to the Mescalero Apache Indians was just what they needed for the lands which they could cultivate and which were susceptible to irrigation. They are all that there are. Those lands are taken up by those Mescalero Indians, and these Fort Sill Indians can get none. They can do nothing in the shape of dry farming. They could never make a success. They would have to go on to that reservation and try to get land which they can cultivate in order to be able to make the least success.

If these people are sent back there, they will practically retard and bring on a state of paralyzation in the settlement and occupation of that country by the white people. It will stop the settling up; it will stop everybody from occupying a ranch or holding it. Those who are there will arm themselves and fill their houses with guns and ammunition and be ready at all times for fight. When they go out on the ranch every one of them will carry his pistol and his gun, and at the least provocation from one of these Indians there will be a row and an Indian or a white man killed. This will bring on war. It will bring on discontent.

Our State, as a Territory, has been held back long enough. We have suffered from these Indian depredations long enough. We have suffered from Indians taking away from our people and from our Territory and from our State, as a Territory, enough lands. We do not desire to have any more taken. We desire that the Indians who are there shall be compelled to take lands in allotment and the balance of the lands turned loose, so that the settlers can occupy them. To-day there are three large reservations in that State, each one of them having at least a thousand acres for every man, woman, and child of the Indians for whom they are set apart.

I do not believe that the Indian should have any more consideration paid to him in this way than is paid to the ordinary citizen who helps to build up the country and pay the taxes and make the laws and protect them and protect the people by enforcing the laws for that purpose.

We believe that these Indians ought not be sent back on us and turned loose as this proposed report suggests that they shall be.

I read from the report itself:

That immediately upon the arrival and establishment of said Indians on the said reservation, they shall be released from the status of prisoners of war and shall thereafter be and remain under the jurisdiction of the Secretary of the Interior, upon equal footing in all respects with other Indians belonging on said reservation.

That is what is to be done with them. They are not to be furnished houses; they are not to be furnished lands; they are not to be furnished anything else; but they are to be dumped on that reservation and stay there as Indians without any support or without anything to help them along, which will necessarily result in bringing them into a state of warfare.

I ask that the report be not adopted and that it be sent back for further conference between the two Houses.

Mr. SMITH of Arizona. Mr. President, it seems needless for me to add anything to what has been already so much better said by the two Senators from New Mexico.

We had all the experience we want with Geronimo's band of Apache Indians. It is a mistaken philanthropy to send them back. As the Senator from New Mexico [Mr. CATRON], who has just preceded me, has well said, you would send them back without an occupation. For the 26 years since Geronimo was captured up until now we have had no Indian troubles. We had these troubles all the time until these Indians were sent away. In that 26 years the Indian in Arizona has developed beyond our expectation. Are these Indians, remembering only the warpath; remembering only blood, trespass, murder, and rapine of the earlier days, to be sent back among Indians in Arizona who have lived in peace with the white man for 20 years, who are picking up the practices of industry, who are beginning to farm, who are working on the railroads, making a living for themselves and doing better and prospering far ahead of anything that those who are to return ever knew, or thought, or dreamed?

If you send the young ones back—26 years have elapsed—what can they do amid surroundings unknown to them? Send the old ones back and you have nothing except the unrest, trouble, and danger as has already been predicted by the Senator from New Mexico. As certain as he goes on the Arizona Indian Reservation with no land he begins at once to stir up the quiescent Apache to the same spirit that animated Geronimo and you will find nothing but trouble from it. As sure as you do it you are going to precipitate on the people more Indian troubles, of which they have already borne too much. Of all the depredations committed by Geronimo the United States Government has never paid one dollar to the people who suffered from them. Now, without any consideration before the House that I have heard of, and with no consideration before the Senate since my advent here, this proposal to return these Apaches to Arizona and New Mexico is first heard of in the conference report. It is the first time we ever heard of it. The conference report should be voted down and that clause stricken out of it, or else you are going to do for those Indians far worse than your sympathy intends.

Mr. President, if this matter were before the Senate as an original question, I have no idea it would ever pass this body when the Senate itself became aware of the trouble which it invites. I have as much sympathy for the children of these Indians as any Senator on this floor, but I have a larger and more intense sympathy with the children of the men whom they have murdered. I can look back for almost 30 years—without attempting to draw any picture of distress—there rises before me the mutilated forms of many of my best friends killed when pursuing their peaceful avocations more than a hundred miles from any Indian reservation; women and children tortured to death in mere wantonness. The men went everywhere with arms, never dreaming of driving 20 miles without a Winchester. That was the condition when Geronimo and his band were removed. And now it is proposed to invite there a body of Indians with the same spirit that Geronimo had then, bringing back to them the sense of their capture, if you please, and the degradation of their submission. It means nothing but disturbance; it means nothing but disaster; it means nothing but somebody getting killed when you return this band to Arizona.

We go now anywhere on the plains and on the Indian reservation unarmed. I for one, with this gang back there, would not go within 20 miles of an Indian reservation, nor would any other man who has been there for 30 years, for he would not know when he would meet trouble. He would not know how soon these Indians will stir up those on the reservation to deeds of murder, arson, and rapine.

When you return this band to Arizona the white man will begin to defend himself, and it may be, unfortunately, a peaceful Indian, mistaken for one of these, will be killed. You are going to reinstate those Indians by this miserably mistaken philanthropy. There is no sense in it.

This pity of yours runs in the line of absolute ignorance of the conditions there, and you are doing the Indian infinite harm. You are doing those now there at home more harm than those you would bring back. You are doing the white man greater harm by it than the Indians. I shall vote against the

conference report, and I trust the Senate will send it back. It is here without authority. If there were such a thing as making a point of order against it I would raise it now against this provision as being legislation on an appropriation bill that has never had the consideration of either House. You can not make the excuse that such a bill passed here a year ago or passed in the House five years ago and then place it on an Indian appropriation bill and bring it in for the first time from the committee of conference. The provision ought to go out; it is not here by any law nor any right, and it is terrible in its consequences. I hope the Senate will vote down the conference report.

Mr. STONE. I want to ascertain from the Senator if he can state the exact number of these Apache Indians on the Fort Sill Reservation?

Mr. SMITH of Arizona. The report shows the number. The chairman of the committee can inform the Senator.

Mr. CURTIS. They number about 250, I think.

Mr. SMITH of Arizona. Two hundred and fifty-odd, I think.

Mr. CLAPP. There were 257 at the time the report was made.

Mr. STONE. I understand it to be a fact that only 25 or 30 Indians who were taken there from New Mexico are alive.

Mr. SMITH of Arizona. Only about 30 of them were engaged with Geronimo in his raid. Many who are now there have been born since then.

Mr. STONE. My information is to the effect that of the 257 Indians on the Fort Sill Reservation all but about 30 have been born on that reservation.

Mr. SMITH of Arizona. Oh, no.

Mr. CATRON. There are 98 of the male Indians who are under 40 years of age.

Mr. SMITH of Arizona. Even though only about 30 were actively engaged in actual hostilities, the Senator from Missouri will at once see that the children of the warriors who were captured will be filled with the traditions of the gallant deeds of their fathers when they were free. You can imagine how they have been raised. In my judgment they are more dangerous than if they had seen some of the trouble. If they are taken back to New Mexico they will go back with the knowledge of the prowess of their fathers, their courage, and the number of white scalps they had carried at their belts from many a bloody field.

Mr. STONE. I am told by the Representatives from Oklahoma, who are familiar with the conditions there, or who ought to be, that the great body of those Indians are young men, women, and children who have been born since the Geronimo band was taken to the Indian Territory or to Oklahoma and confined as prisoners at Fort Sill. I am told by these gentlemen that their condition is very much to be lamented; that they are breeding in—brothers and sisters cohabiting, and that children are born from that cohabitation—that they are afflicted with diseases; that consumption is prevalent, and other fatal diseases are decimating them. If those conditions are true, something ought to be done to relieve the situation. I would not desire to send an Indian to New Mexico or to Arizona whose presence there would be regarded as a menace to the peace of either of those States and of the people residing there, but some provision ought to be made, some solution arrived at, of this problem. What does the Senator from Arizona suggest ought to be done with these Indians—hold them there continuously as prisoners and let them die as they are dying, like pigs, with cholera, or should we provide homes for them at some place?

Mr. FALL. Will the Senator from Arizona yield to me for just a moment?

Mr. STONE. I should be glad to have some idea as to what should be done.

The PRESIDING OFFICER (Mr. CRAWFORD in the chair). Does the Senator from Arizona yield to the Senator from New Mexico?

Mr. SMITH of Arizona. In a moment. I do not think the conditions the Senator from Missouri sets forth exist there to any greater extent than they do in any other reservation containing the same number of Indians, and probably in reservations much larger. The condition of which the Senator speaks exists in mountainous parts of this country among white people. It is a question of sentiment again. You do not know the question you are dealing with nor the animal you are dealing with. He is as easily taken care of at Fort Sill, in Oklahoma, as in Arizona, and much easier in fact, for many of them know no other country and are now occupying 50,000 acres of better land than he can find in either an Arizona or New Mexico reservation. If these conditions exist there as stated by the Senator from Missouri, they will continue if the Indians are removed to either of the other reservations in Arizona or New Mexico, for, as the Senator from New Mexico has well said, the home Indian will not affiliate with those who were born in Alabama or Oklahoma. There is no kinship or relation between them that either would recognize. You will find the same isolation, you will find the same difficulty, in their efforts to maintain any rights at all in Arizona as now confronts them at Fort Sill. Besides, if they were born in Oklahoma, in the name of conscience, why would you want to send them away from there?

Mr. STONE. I did not ask the Senator about sending them away.

Mr. SMITH of Arizona. I was asking the question not of the Senator from Missouri but of the Senate, in answer to a Senator's suggestion why you should ever think of sending them to a place where they were not born and of which they can know nothing.

Mr. STONE. I am not talking about sending them back.

Mr. SMITH of Arizona. The Senator from Missouri was talking about their morals, then; was that the question?

Mr. STONE. What I asked was, what solution the Senator from Arizona or the Senator from New Mexico would propose for this most lamentable condition existing now at Fort Sill?

Mr. CURTIS. Will the Senator yield to me for a moment?

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Kansas?

Mr. SMITH of Arizona. I do.

Mr. CURTIS. The Secretary of the Interior, it seems to me, has submitted a proposition which, if accepted by the conferees, would have been acceptable to the Senators from New Mexico and also to the Senators from Oklahoma. He submitted an estimate to Congress, as follows:

For the relief and settlement of the Apache Indians now confined as prisoners of war at Fort Sill Military Reservation, Okla., on lands to be selected for them by the Secretary of the Interior, $250,000, to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

Mr. SMITH of Arizona. Unquestionably, that is an answer to the question, and is what the Senator from New Mexico endeavored to call to my attention.

Mr. FALL. If the Senator will yield for a statement, I will say that I am informed by the Representatives from Oklahoma that they will be glad to have these Indians down there; and the only method by which we can get them down there is by a reference of this report back to the committee.

Mr. CLAPP. Mr. President, I think it is——

The PRESIDENT pro tempore. Does the Senator from Arizona yield to the Senator from Minnesota?

Mr. SMITH of Arizona. I do.

Mr. CLAPP. Mr. President, I think it is due to say that, while it may be said that this agreement is not within the strict limits of the powers of a conference committee, there is very strong authority for it. Members of both Houses, of very high legal authority on these subjects, claim that the difficulty arose from having originally put in a provision on the recommendation of the Secretary of the Interior which had not in that form passed the Senate; but it was thought that it would at least justify the action of the conferees if they agreed on a report in the form practically, I think, as the provision passed the Senate.

Mr. FALL. Will the Senator allow me to ask him whether the provision has ever passed either House of Congress in the form in which it is now suggested by the conferees?

Mr. CLAPP. It never passed the House of Representatives; but the question in conference always is this: Are the conferees within something that one House or the other has done? If the other House had passed the provision in the form in which it appears now in the conference report, there is no question, of course, but what the action of the conferees would have been within the limits of their power. If the Senate had put it on the bill in that form it would likewise have been within the jurisdiction of the conferees, although the House might never have acted upon it. The Senate having acted, the conferees thought that would be some justification in bringing the subject before the Senate and the House.

Mr. FALL. Mr. President, if the Senator will allow me just a moment, I want to ask the Senator if it is not a fact that the action he refers to was taken by the one party before the Senators from New Mexico and Arizona came into the Senate?

Mr. CLAPP. I was going to explain that fact, too. If the Senator will allow me, it has always been my custom in conference, when a matter of vital importance to the Senate was reached and there was any question about it, to confer with the Senators from that State. I did not do so in this case, because the Senate having passed the bill, and it not

being in my mind at the time that the Senators from the State had come into the Senate since the passage of the bill, I naturally accepted the action of the Senate as satisfactory to the Senators——

Mr. FALL. I merely wanted to put that fact in the RECORD.

Mr. CLAPP. Otherwise they certainly would have been notified.

Mr. SMITH of Arizona. Mr. President, the courtesy and the kindly consideration for which the Senator from Minnesota is so well and properly distinguished are such that no explanation was needed from him, so far as I was concerned, as to any conduct of his in regard to the matter. I am glad, however, that the Senator from New Mexico [Mr. FALL] has drawn out the fact before the Senate that whatever legislation of this kind had passed the Senate passed before our advent here, or we confidently believe it would not have been passed at all.

The solution of the question in my mind, as asked by the Senator from Missouri [Mr. STONE], is found in the suggestion of an appropriation sufficient to take care of these Indians where they are. The Indians born in Oklahoma are not acclimated in Arizona and never will be. Their condition is better where they are. Whatever sympathy you have, let it be shown in appropriations taking care of them in the only environment to which they are accustomed. I have nothing more to say.

Mr. HEYBURN. Mr. President, on Saturday I took up the consideration of the condition of these Indians, irrespective of the proposition coming from the conference committee or any other proposition pending. I took it up for the purpose of pointing out the deplorable condition of these Indians; and, notwithstanding the Senator from Minnesota, in charge of the bill, sought to lead me off to a consideration of the proposition submitted by the conferees, I resisted that temptation. I would not send these Indians back into an antagonistic atmosphere or among a people who carry in their memories the atrocities of their ancestors. If it is found convenient, I would take the suggestion of the Secretary of the Interior and appropriate money enough to take care of these Indians without sending them back among the people in whose bosoms there still remains this antagonistic spirit. The antagonism is not an unreasonable one; it is one entirely in accord with human nature.

I would inquire whether or not the extra 40,000 acres of land that were added to the military reservation in order to enable them to take care of these Indians might not be dissociated from the military reservation, and the status of freemen be conferred upon these Indians, except the 30 remaining Indians who participated in the war, and let them acquire property rights upon these 40,000 acres, or such rights as are appropriate for an Indian to possess, and leave them in the climate, in the country, and in the environment where they were born and where they have grown up? I would cheerfully participate in securing such rights for these Indians in view of the fact, as suggested by the Senator, that they are not acclimated to Arizona, and their traditions perhaps are only such as come down through the camp talk of a tribe of Indians.

I did not suggest, nor would I suggest, that these Indians be sent back. The Senate bill as it went to conference provided that an investigation might be made. I would go further. We know the facts, and it might be found wise to make available the land upon which they now live. I spoke only in favor of changing the status of these Indians from prisoners of war to that of ordinary Indians and providing for them where they are, except as to 30 men in that tribe who actively participated in the war resulting in their capture. I would keep those men as prisoners of war. They should have been hanged when they were captured; they should have been dealt with at that time. Where else in the history of this or any other country have we allowed prisoners—either prisoners under the civil government or prisoners of war—to build up families, produce children, and add to their numbers as prisoners of war, giving the status of the children that of prisoners of war? No. I am not in favor of sending them back; and I said no word on Saturday that would intimate it. I spoke only as to their condition, with a view of enlightening the mind of the Senate, that it might deal with this question from an intelligent and humane standpoint.

Mr. ASHURST. Mr. President, "Lest we forget." In addition to what my colleague has said, I will state that in the city of Prescott, Ariz., is a pioneers' home for aged and infirm pioneers. It is within the bounds of truth to say that some of the venerable pioneers who are occupants of that home bear upon their bodies scars inflicted by bullets fired from the guns of Apache Indians in the early Indian wars. In addition to this, some of those persons in the pioneers' home, and many persons outside the home, have just claims for the destruction of their property by these Apache Indians. The claims are mildewed with age, and it is a mournful commentary to reflect that they have not been paid. In this connection, in order that we may become somewhat familiar with the past history of these Indians, I will submit and ask to have read a memorial adopted by the Twelfth Legislative Assembly of the Territory of Arizona, which convened in 1883. This memorial is addressed to the Congress of the United States and depicts the character and describes the outrages of the Apache Indians.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary proceeded to read the memorial referred to.

Mr. ASHURST. Mr. President, if permitted, I should like to ask unanimous consent that the remainder of the memorial be printed in the RECORD without further reading.

The PRESIDENT pro tempore. Without objection, that order will be made.

The memorial referred to is as follows:

MEMORIAL IN REFERENCE TO INDIAN AFFAIRS.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Twelfth Legislative Assembly of the Territory of Arizona, beg leave to represent to your honorable bodies: From time immemorial the Apache Indians, an aboriginal tribe, inhabiting the country between the Rio Grande and the Gulf of California, have been a curse to civilization and a plague spot on the continent.

Since the first efforts of the Spaniards to colonize and to christianize this country, more than three centuries ago, these savages have retarded progress and paralyzed prosperity in a portion of the grandest and richest part of the globe.

After the Mexican Revolution the Apaches impinged upon that weak and struggling Government to the extent of devastating and comparatively depopulating the northwest provinces.

Since the acquisition of this country by the United States the depredations of these Bedouins of America have been continued with undiminished fury. For these Indians have been segregated vast reservations, unwieldly in size, and altogether unadapted to the purposes had in view by the Government. But such segregations, princely extents of rich mineral, agricultural, and grazing lands, have been withdrawn from development, and millions of acres of productive country rendered of no use save to serve as the lurking places of an implacable foe. The cringing solicitude with which the demands of the semibelligerent and belligerent Indians have been complied with, and the manner with which they have been supplied with necessaries, and even luxuries of life, has not inspired the Indians with gratitude, but has given them a contempt for our Government and has imbued them with the idea that their Great Father at Washington is only the timorous keeper of a great free hotel, where they are entertained gratuitously through fear of their anger. They call the reservation agents "squaws," and despise our people with more than a Mongolian insolence of race prejudice. To their brutalized minds kindness appears to be a confession of weakness and forbearance seems evidence of fear. They have so often set at defiance the attempts of our soldiery to dislodge them from their mountain fastnesses that they believe themselves well able to cope with American troops whenever a favorable time may arrive. Not only are they ignorant as to our national strength, but statements of our number as a people are derided by them as "forked-tongued," to use for once a part of the figurative twaddle with which the novelists have so completely deceived the American public as to the real characteristics of these beastly monsters. The nature of the Apache can not be comprehended by a knowledge, however intimate, of the habits of other Indians. They are the most treacherous and cruel creatures that disgrace the earth. Murder is with them a trade; torture, a fine art; outrage, mutilation, and burning at the stake a delight. His career of bloodshed has been the same for ages. The killing of some of the braves in the wars, instead of intimidating the remainder, has only fired anew their unforgiving hearts. They implicity believe that some day they will crush out American civilization, even, as tradition tells them, their ancestors obliterated the civilization of that extinct race whose ruined cities in every part of this Territory delight the antiquary and puzzle the historian. Their presence in Arizona is a continual menace to our welfare. Their present deceitful calm reassures no one; it is but "the torrent's smoothness ere it dash below." The presence here of the efficient Indian fighter, Gen. George Crook, does not remove our apprehensions. The people know, by woeful and repeated experiences, that no outbreak, however vigorously resisted, can be put down without long delay and great loss of lives and property on the part of the Government of the United States, and still worse on the part of noncombatant citizens. These particular difficulties are more the fault of our Government at Washington than the fault of our soldiers, for the special obstacles arise as much from the mountainous nature of the countries in which the Indians are allowed to remain, as from the nature of the savages. The Apache is no contemptible foe. In point of intellect, in cunning and duplicity, in warlike skill and untiring energy, in tenacity of purpose and wonderful powers of endurance, the Apache has no equals among the warlike tribes of North America. His daily thought and his nightly dream is destruction. His traditional hatred toward all the peaceful and industrious tribes is irreconcilable. There is not a grown Apache male in this Territory who does not, in his secret heart, thirst for American blood. He is the veritable Ishmaelite, whose hand is against every man, and that hand will continue to be stained with American blood as long as he knows that his record of villainy is the open sesame by which he can command the distinguished consideration which he now receives.

This treatment of the Apaches is not understood by the peaceful and industrious tribes, and they are demoralized and tempted to depart from their good behavior by the reflection that they are comparatively neglected, while the murderous fiends are so assiduously conciliated.

If an American sailor is murdered on some remote shore, we send a costly expedition to demand satisfaction and to prevent a repetition of the crime, but the depredations and murders that have, during the past 20 years, characterized the diabolism of the Apaches have been in many cases slightly considered and in more cases ignored with an indifference worthy of the stoicism of the Indian himself.

In addition to our local grievances, it is a source of international disgrace and shame that these nomadic savages should be maintained here to commit depredations upon the adjoining Republic of Mexico,

thereby provoking retaliation, and to a considerable extent interfering with the welfare of the northern tier of States of our sister Republic.

The people have, in their desperation, often fitted out expeditions of hardy and experienced frontiersmen to suppress Indian insurrections, and such volunteer troops have often passed through hundreds of miles of country, rife with savage outrage, without seeing an Indian. In such way do they take advantage of the facilities for hiding afforded by mountainous country.

The only solution of the problem is the removal of the Apaches to a prairie or level country, where they can be easily guarded and forced to take up agricultural pursuits until by such a life and by communicating to them the rudiments of education succeeding generation shall have lost the instinct, as well as the power, to follow in the footsteps of their sanguinary ancestors.

Such a mode of disposing of the Indians would be as much a benefaction to them as to ourselves. It is not visiting upon them the heavy hand of retribution for their atrocities, but is the only possible way of ever making them other than a millstone around the neck of the Nation. It is the course which has brought to their present condition the Canadian and other at present semicivilized tribes of this continent.

The vacillating policy, the creation of reservations in mountainous countries, the treaties, presents, and general whangdoodleism of our Indian Department are as cruel to the savages in the ultimate result as to us. How severe the present régime is upon us is shown by the fact that with a climate superior to that of many of the most populous and prosperous portions of the East, a soil of surpassing fertility, and a wealth of mineral resources exceeding any other known to history, Arizona is to-day, save in a limited number of protected and settled localities, a virgin and undeveloped land, the present visible wealth of the Territory being a mere bagatelle as compared with its possibilities under more favorable auspices.

In the administration of Indian affairs extravagant sums of money have been drawn from the National Treasury for the ostensible purpose of improving the conditions of these Indians, but up to this time without any perceptible advantage to the intended beneficiaries.

That your memorialists believe that the extraordinary success which has distinguished the military campaigns of Gen. George Crook against the savages has been due to his employment of other savages to follow them into the mountain retreats in their own fashion of warfare. Your memorialists are aware that the tribal hostilities existing among the different clans will always prevent their confederating together against the whites, and that they will, by being placed in the same region of country with other hostiles, be the most efficient check and guard, the one upon the other.

It appears to your memorialists but just and right that a long suffering people should be relieved of this perpetual incubus by the removal of the Apache and other belligerent Indians from our boundaries into some level country, where they can be managed successfully and where the expenses will be somewhat less fabulous than at present.

Wherefore your memorialists humbly pray that measures may be taken to remove the hostile Indians from the Territory of Arizona; that the costly system of Arizona Indian reservations, with its attendant temptations to peculation, may be terminated; and that the lands included in the reservations may be relegated to the use of the citizens of the United States.

Approved February 10, 1883.

The PRESIDENT pro tempore. The question is upon agreeing to the conference report.

The conference report was rejected.

Mr. CLAPP. Mr. President, if the bill goes back to conference, I desire to state that the senior Senator from South Dakota [Mr. GAMBLE] was on the conference committee heretofore, but has been detained from the Senate by sickness. That left only two Senators on the committee on the part of the Senate, and I ask that the senior Senator from Kansas [Mr. CURTIS] be added to the conferees on the part of the Senate.

Mr. CURTIS. Mr. President, the senior Senator from North Dakota [Mr. MCCUMBER] is entitled to preference by reason of his rank on the committee, and I suggest that he be selected for the place.

Mr. MCCUMBER. Mr. President, a few moments ago I went to the Senator from Minnesota [Mr. CLAPP] and asked him especially to leave me off, because I was not certain that I could be here during the conference.

The PRESIDENT pro tempore. Without objection, the senior Senator from Kansas will be added to the conference committee on the part of the Senate; and the committee will consist of the Senator from Minnesota [Mr. CLAPP], the Senator from Kansas [Mr. CURTIS], and the Senator from Oregon [Mr. CHAMBERLAIN].

Mr. CLAPP. I ought to say that I recognize the seniority of the Senator from North Dakota [Mr. MCCUMBER], and it was only after conference with him and at his request that I asked that the senior Senator from Kansas [Mr. CURTIS] be designated as one of the conferees.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 7424) to amend an act approved July 20, 1912, entitled "An act to authorize Arkansas & Memphis Railway Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5135) for the relief of John J. Troxell.

The message further announced that the House had agreed to the concurrent resolution of the Senate (S. Con. Res. 28) instructing the Committee on Enrolled Bills of the two Houses to correct the enrolled bill (H. R. 21969) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and goverment of the Canal Zone.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 21094) to create a commission on industrial relations, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WILSON of Pennsylvania, Mr. HENSLEY, and Mr. GARDNER of New Jersey, managers at the conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses of the amendments of the Senate to the bill (H. R. 21969) to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

H. R. 5135. An act for the relief of John J. Troxell;

H. R. 6722. An act for the relief of Stephen Campbell and Isaac Overdorf; and

S. J. Res. 133. Joint resolution appropriating the sum of $20,000 out of money appropriated by Senate joint resolution No. 129 for subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico.

COMMISSION ON INDUSTRIAL RELATIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 21094) to create a commission on industrial relations and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BORAH. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. BORAH, Mr. PENROSE, and Mr. BANKHEAD conferees on the part of the Senate.

Mr. BORAH. I desire to say that, while the Senator from Maryland [Mr. RAYNER] is the senior minority member of the Committee on Education and Labor, from which the bill was reported, I understand he will not return for the session, and for that reason he has not been appointed upon the committee of conference.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WARREN. I am directed by the Committee on Appropriations, to which was referred the bill (H. R. 26321) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, to report it with an amendment, and I submit a report (No. 1052) thereon. I ask unanimous consent that we may take up the bill for immediate consideration. The committee recommends its passage amended by striking out all after line 7, on page 1 of the bill, and inserting in lieu thereof the bill as finally enacted by Congress at this session and vetoed by the President August 15, 1912, with certain modifications.

Mr. OVERMAN. I suggest the want of a quorum. I do not mean to delay matters, but I think we ought to have a quorum here.

The PRESIDENT pro tempore. The Senator from North Carolina makes the point of no quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Crawford	Martin, Va.	Smith, Md.
Bacon	Culberson	Martine, N. J.	Smith, Mich.
Borah	Cummins	Massey	Smoot
Bourne	Curtis	Nelson	Stone
Bristow	Dillingham	Oliver	Swanson
Bryan	Fall	Overman	Thornton
Burnham	Fletcher	Page	Tillman
Catron	Gallinger	Perkins	Townsend
Chamberlain	Heyburn	Pomerene	Warren
Chilton	Johnston, Ala.	Reed	Wetmore
Clapp	Jones	Simmons	Williams
Clarke, Ark.	Lippitt	Smith, Ariz.	
Crane	McCumber	Smith, Ga.	

The PRESIDENT pro tempore. Fifty Senators have answered to their names. A quorum of the Senate is present. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported

from the Committee on Appropriations with an amendment to strike out all after line 7, on page 1, and to insert a substitute therefor.

Mr. WARREN. Mr. President, the bill is a very long one. The original bill, as it first came here from the House of Representatives, and as passed by the Senate, had 515 changes. These differences were composed in conference. The bill before us is the bill as it finally came from conference, and was agreed to by both Houses, and was vetoed by the President, except that we have now made two changes affecting matters because of which the President vetoed the bill.

In the one change, relating to the civil service, section 4 is left in as the Senate placed it in the bill, and as it finally passed, with an addition of a penalty clause put on by the House.

As to the other, all relating to the abolition of the Commerce Court is stricken out of the bill.

It seems to me it is unnecessary to read the bill, or to consider it, except en bloc. Therefore I should be glad if the Senate would take up the matter and either approve or disapprove of it en bloc in that form. It has already had the approval of the Senate in every particular except in relation to the Commerce Court and the civil service.

Mr. OVERMAN. I hope the suggestion of the Senator from Wyoming will be complied with.

Mr. HEYBURN. Is every other item in this bill as it was in the bill when it passed the Senate?

Mr. WARREN. Yes.

Mr. OVERMAN. I hope that will be done. This bill has been read time and again. This is the same bill that passed both Houses once. The committee offers a substitute for the House bill, to which there were 515 disagreements, and after a month, probably, we passed the bill. The committee has offered the same bill that was vetoed by the President, except the abolition of the Commerce Court. I am going to introduce this amendment as the report of the minority of the Committee on Appropriations.

Mr. STONE. Do I understand that in this bill, now presented, the provision abolishing the Commerce Court is left out?

Mr. OVERMAN. It is left out of the bill reported by the committee. I am going to offer an amendment to the committee's bill which will contain the original provision abolishing the Commerce Court and including the joint resolution passed by both Houses in reference to the court.

The only difference between it and the bill reported by the Committee on Appropriations is the abolition of the Commerce Court, and then there is the provision in the committee report appropriating $62,000. Of course, if the Commerce Court is abolished, it will not need the clerks and other officers and incidental expenses which amount to $62,000. So the only difference between the majority and the minority of the Committee on Appropriations is that this amendment abolishes the Commerce Court, and it does not include section five, with relation to the civil service, which has been referred to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

Mr. SIMMONS. I must confess that I do not understand the status of this bill. I understand the bill which passed the House and Senate abolished the Commerce Court.

Mr. OVERMAN. It did.

Mr. SIMMONS. It went to conference.

Mr. OVERMAN. It did.

Mr. SIMMONS. And the President vetoed it because of the abolition of the Commerce Court and because of the civil-service tenure provision. Now, do I understand that the House has receded from the provision in the bill abolishing the Commerce Court?

Mr. OVERMAN. It has not.

Mr. SIMMONS. Is it proposed that the Senate shall recede——

Mr. OVERMAN. The bill offered by the majority of the Appropriations Committee leaves in the Commerce Court. It recedes from our position. The amendment I have offered insists upon abolishing the Commerce Court, whereas the majority report of the committee recedes from that position.

Mr. WARREN. I think I ought to make one explanation.

The House, when it abolished the court, did not abolish the five judgeships. The Senate not only abolished the court, but did away with the judgeships. The House conferees would not recede from their position, and the Senate did recede. So that in both cases the judges' positions are left intact. The report of the majority of the committee, for which we ask the indorsement of the Senate, differs from the law we passed, as stated, in those two particulars. The proffer from the minority is that we recognize one of the subjects upon which the President vetoed the measure, but that we do not recognize the other. I believe it is no secret that if the bill goes to the President containing the provision for the abolition of the Commerce Court we may expect another veto. It is just a question whether we shall conform to circumstances and so construct our bill as to secure approval, get through with the business of the session, and go home, or whether we shall go on presenting bills to be vetoed ad infinitum.

Mr. OVERMAN. Mr. President, the amendment I propose does not abolish the judgeships, and leaves out section 5, which is the civil-service matter. I say, if we want to go home, the proper procedure is to adopt my amendment, because the House is going to insist upon the abolition of the Commerce Court, and the sentiment of this country is for the abolition of that court.

The House of Representatives, by a large majority, Republicans and Democrats, voted in favor of its abolition. The Senate, by a large majority, voted for the abolition of the court. Then, shall we let the President stand against both Houses of Congress and against the people of the country when we shall say again we want the Commerce Court abolished? I am in favor of sending it again to the President in that form.

I will say to the Senator we will get away quicker by passing this amendment than by letting it go to conference with 515 differences. When will we get away, then? If you adopt this amendment, in my judgment, the House will concur to it as soon as it reaches there. Let it go to the President, and if he vetoes it again we can probably pass it over his veto. If you adopt the committee's amendment, the House will insist upon its bill, and it has a right to insist. It is purely a legislative matter, and notwithstanding the President's veto we could send the bill to him again within a very short time.

I think I know the reason he vetoed the bill. It was more than on account of the Commerce Court, knowing the sentiment of the people of this country, and the circumstances surrounding the establishment of the court; that it was established by only a small majority, while by a large majority, Republicans and Democrats in the Senate and the House, it was abolished, and they will do it again, and I say he can not afford to veto it.

Mr. WARREN. I know the Senator from North Carolina wants to be fair.

Mr. OVERMAN. Yes.

Mr. WARREN. Does the Senator think, unless we adopt his amendment, the bill will come back and every item will be open?

Mr. OVERMAN. Does the Senator think if we adopt the amendment I propose the bill will come back again?

Mr. WARREN. Yes.

Mr. OVERMAN. Does not the Senator think if we agree to it the House will concur in it?

Mr. WARREN. Whether it does or not the bill will come back, if we are correctly informed.

Mr. OVERMAN. Does the Senator from Wyoming know that we will have another veto?

Mr. WARREN. That is what Senators and others have said to me—that we shall have another veto.

Mr. OVERMAN. Is the Senator authorized to speak for the President and to announce that we will have another veto?

Mr. WARREN. I do not speak for the President, but several Senators have stated to me and the public press has announced that there would be another veto if the Commerce Court were abolished.

Mr. BACON. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator from Georgia will state his point of order.

Mr. BACON. It is not in order to attempt to influence votes of Senators here by any threat as to whether the President will or will not approve of a proposed piece of legislation.

Mr. WARREN. The Senator need not shake his gory locks at me [laughter], as I am not threatening anybody. I simply had the bill laid before the Senate, and the Senate can do as it pleases.

Mr. BACON. If I have shaken any locks at all, the offense would necessarily be so small that I think it ought to be excused. [Laughter.]

Mr. WARREN. I do not know whether Senators want to go home or not or whether Senators will vote as they did before, but I feel assured that each Senator will vote his own convictions and that each carries his sovereignty under his own hat, and I expect each will follow his own wishes in the matter.

Mr. JONES. I wish to ask the chairman a question in order to ascertain if I understand the situation. As I understand the bill the chairman of the committee offered, it is the bill that

passed the Senate and the House and went to the President, with the exception of the items which the chairman has stated.

Mr. WARREN. With the two main exceptions and the three minor ones.

Mr. JONES. The amendment of the Senator from North Carolina contains everything that was agreed to by the Senate and the House except what he has stated.

Mr. WARREN. Unless the Senator from North Carolina has changed the copy, there is no difference whatever except in his proposition of abolishing the Commerce Court.

Mr. OVERMAN. That is the only difference.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Carolina to the amendment. The amendment to the amendment will be stated.

Mr. OVERMAN. It is unnecessary to read it, as it is the other bill, except to abolish the Commerce Court.

The PRESIDENT pro tempore. Without objection, the reading will be dispensed with.

The amendment to the amendment is, on page 1, to strike out all after line 7 and insert:

LEGISLATIVE.

SENATE.

For compensation of Senators, $720,000.

For mileage of Senators, $51,000.

For compensation of the officers, clerks, messengers, and others in the service of the Senate, namely:

Office of the Vice President: Secretary to the Vice President, $4,000; messenger, $1,440; telegraph operator, $1,500; telegraph page, $600; in all, $7,540.

Chaplain: For Chaplain of the Senate, $1,200.

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of the contingent fund of the Senate, $6,500; hire of horse and wagon for the Secretary's office, $420; Assistant Secretary, Henry M. Rose, $5,000; Chief Clerk, $3,250; financial clerk, $3,000 and $1,250 additional while the office is held by the present incumbent; minute and journal clerk, principal clerk, reading clerk, and enrolling clerk, at $3,000 each; executive clerk, and assistant financial clerk, at $2,750 each; librarian, file clerk, chief bookkeeper, assistant journal clerk, 2 clerks, printing clerk, and clerk compiling a history of revenue bills, at $2,500 each; first assistant librarian, $2,400; keeper of stationery, $2,400; compiler of Navy Yearbook and Senate report on river and harbor bill, Woodbury Pulsifer, $2,220; indexer for Senate public documents, and 2 clerks, at $2,220 each; 2 clerks, at $2,100 each; assistant librarian, $1,800; assistant librarian, $1,600; skilled laborer, $1,200; clerk, $1,800; clerk, $1,600; assistant keeper of stationery, $2,000; assistant in stationery room, $1,200; messenger, $1,440; assistant messenger, $1,200; 3 laborers, at $840 each; 3 laborers, at $720 each; laborer in stationery room, $720; in all, $94,040.

Document room: Superintendent, George H. Boyd, $3,000; 2 assistants, at $2,250 each; assistant, $1,440; 2 clerks, at $1,440 each; skilled laborer, $1,200; in all, $13,020.

Clerks and messengers to committees: Clerk to the Committee on Additional Accommodations for the Library of Congress, $2,220, messenger, $1,440; clerk to the Committee on Agriculture and Forestry, $2,500, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Appropriations, $4,000, two assistant clerks, at $2,500 each, two assistant clerks, at $1,440 each, messenger, $1,440; laborer, $720; clerk to the Committee to Audit and Control the Contingent Expenses of the Senate, $2,500, messenger, $1,440, messenger, $1,200; clerk to the Committee on Canadian Relations, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on the Census, $2,220, assistant clerk, $1,200, messenger, $1,440; clerk to the Committee on Civil Service and Retrenchment, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Claims, $2,500, assistant clerk, $2,000, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Coast and Insular Survey, $2,220, messenger, $1,440; clerk to the Committee on Coast Defenses, $2,220, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Commerce, $2,500, assistant clerk, $1,800, messenger, $1,440; clerk to the conference minority of the Senate, $2,220, assistant clerk, $1,800, messenger, $1,200; clerk to the Committee on Conservation of National Resources, $2,220, assistant clerk, $1,200, messenger, $1,440; clerk to the Committee on Corporations Organized in the District of Columbia, $2,220, messenger, $1,440; clerk to the Committee on Cuban Relations, $2,220, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Disposition of Useless Papers in the Executive Departments, $2,220, messenger, $1,440; clerk to the Committee on the District of Columbia, $2,500, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Education and Labor, $2,220, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Engrossed Bills, $2,220, messenger, $1,440; clerk to the Committee on Enrolled Bills, $2,220, assistant clerk, $1,440; clerk to the Committee to Examine the Several Branches of the Civil Service, $2,220, messenger, $1,440; clerk to the Committee on Expenditures in the Department of Agriculture, $2,220, messenger, $1,440; clerk to the Committee on Expenditures in the Department of Commerce and Labor, $2,220, messenger, $1,440; clerk to the Committee on Expenditures in the Interior Department, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Expenditures in the Department of Justice, $2,220, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Expenditures in the Navy Department, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Expenditures in the Post Office Department, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Expenditures in the Department of State, $2,220, messenger, $1,440; clerk to the Committee on Expenditures in the Treasury Department, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Expenditures in the War Department, $2,220, messenger, $1,440, messenger, $1,200; clerk and stenographer to the Committee on Finance, $3,000, assistant clerk, $2,220, assistant clerk, $1,600, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Fisheries, $2,220, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on the Five Civilized Tribes of Indians, $2,220, messenger, $1,440; clerk to the Committee on Foreign Relations, $2,500, assistant clerk, $2,220, messenger, $1,440; clerk to the Committee on Forest Reservations and the Protection of Game, $2,220, messenger, $1,440; clerk to the Committee on the Geological Survey, $2,220, messenger, $1,440; clerk to the Committee on Immigration, $2,220, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Indian Affairs, $2,500, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Indian Depredations, $2,220 messenger, $1,440; clerk to the Committee on Industrial Expositions, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Interoceanic Canals, $2,220, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Interstate Commerce, $2,500, two assistant clerks, at $1,800 each, messenger, $1,440; clerk to the Committee to Investigate Trespassers on Indian Lands, $2,220, messenger, $1,440; clerk to the Committee on Irrigation and Reclamation of Arid Lands, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on the Judiciary, $2,500, assistant clerk, $2,220, two assistant clerks, at $1,800 each, messenger, $1,440; clerk to the Joint Committee on the Library, $2,500, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Manufactures, $2,500, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Military Affairs, $2,500, assistant clerk, $2,220, assistant clerk, $1,440, messenger, $1,200; clerk to the Committee on Mines and Mining, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on the Mississippi River and its Tributaries, $2,220, messenger, $1,440; clerk to the Committee on National Banks, $2,220, messenger, $1,440; clerk to the Committee on Naval Affairs, $2,500, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Pacific Islands and Porto Rico, $2,220, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Pacific Railroads, $2,220, messenger, $1,440; clerk to the Committee on Patents, $2,220, messenger, $1,440, messenger, $1,200; clerk to the Committee on Pensions, $2,500, assistant clerk, $1,800, three assistant clerks, at $1,440 each, messenger, $1,440; clerk to the Committee on the Philippines, $2,220, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Post Offices and Post Roads, $2,500, three assistant clerks, at $1,440 each, messenger, $1,440; clerk of printing records, $2,220, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Private Land Claims, $2,220, assistant clerk, $1,800; clerk to the Committee on Privileges and Elections, $2,220, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Public Buildings and Grounds, $2,500, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Public Health and National Quarantine, $2,220, assistant clerk, $1,440; clerk to the Committee on Public Lands, $2,500, assistant clerk, $1,800, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Railroads, $2,220, messenger, $1,440; clerk to the Committee on Revolutionary Claims, $2,220, messenger, $1,440; clerk to the Committee on Rules, $2,220, assistant clerk, $1,800, messenger, $1,440; clerk to the Committee on Standards, Weights, and Measures, $2,220, messenger, $1,440; clerk to the Committee on Territories, $2,220, assistant clerk, $1,440, messenger, $1,440; clerk to the Committee on Transportation and Sale of Meat Products, $2,220, messenger, $1,440; clerk to the Committee on Transportation Routes to the Seaboard, $2,220, messenger, $1,440; clerk to the Committee on the University of the United States, $2,220, messenger, $1,440; clerk to the Committee on Woman Suffrage, $2,220, messenger, $1,440; in all, $370,940.

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, $6,500; horse and wagon for his use, $420, or so much thereof as may be necessary; Assistant Sergeant at Arms, $2,500; assistant doorkeeper, $2,592; acting assistant doorkeeper, $2,592; 4 messengers, acting as assistant doorkeepers, at $1,800 each; 37 messengers, at $1,440 each; 2 messengers on the floor of the Senate, at $2,000 each; messenger at card door, $1,600; clerk on Journal work for Congressional Record, to be selected by the official reporters, $2,000; storekeeper, $2,220; upholsterer and locksmith, $1,440; cabinetmaker, $1,200; 3 carpenters, at $1,080 each; janitor, $1,200; 4 skilled laborers, at $1,000 each; skilled laborer, $900; laborer in charge of private passage, $840; 3 female attendants in charge of ladies' retiring room, at $720 each; chief telephone operator, $1,200; 2 telephone operators, at $900 each; night telephone operator, $720; telephone page, $720; superintendent of press gallery, $1,800; assistant superintendent of press gallery, $1,400; laborer, $840; 27 laborers, at $720 each; 16 pages for the Senate Chamber, at the rate of $2.50 per day each during the session, $4,800; in all, $132,604.

For the following for Senate Office Building under the Sergeant at Arms, namely: Stenographer in charge of furniture accounts and keeper of furniture records, $1,200; 2 messengers, at $1,440 each; attendant in charge of bathing rooms, $1,800; 2 attendants in bathing rooms, at $720 each; 3 attendants to women's toilet rooms, at $720 each; janitor for bathing rooms, $720; 2 messengers acting as mail carriers, at $1,200 each; and messenger for service to the press correspondents, $900; in all, $13,500.

For police force for Senate Office Building under the Sergeant at Arms, namely: For 16 privates, at $1,050 each; 1 special officer, $1,200, $18,000.

Post office: Postmaster, $2,250; chief clerk, $1,800 (deficiency act July 21, 1911); 6 mail carriers and 1 wagon master, at $1,200 each; 3 riding pages, at $912.50 each; in all, $15,187.50.

Folding room: Assistant, $1,400; clerk, $1,200; foreman, $1,400; 6 folders, at $1,000 each; 8 folders, at $840 each; in all, $16,720.

Under Superintendent of the Capitol Building and Grounds: Chief engineer, $2,160; assistant engineer and electrician, $1,800; 3 assistant engineers, at $1,440 each; 10 conductors of elevators, at $1,200 each; 2 machinists and electricians, at $1,400 each; 4 laborers, at $720 each; laborer in charge of Senate toilet rooms in old library space, $660; attendant for service in old library portion of the Capitol, $1,500; in all, $28,120.

For the following for the Senate Office Building, under the Superintendent of the Capitol Building and Grounds, subject to the control and supervision of the Senate Committee on Rules, namely: 14 elevator conductors, at $1,200 each; in all, $16,800.

Clerks to Senators: For 35 annual clerks to Senators who are not chairmen of committees, at $2,000 each, $70,000.

Stenographers to Senators: For 22 stenographers to Senators who are not chairmen of committees, and 3 stenographers to the chairmen of the 3 junior minority committees, at $1,200 each, $30,000.

Contingent expenses, namely: For stationery for Senators and the President of the Senate, including $6,000 for stationery for committees and officers of the Senate, $18,125.

For postage stamps for the office of the Secretary of the Senate, $200; for the office of the Sergeant at Arms, $150; in all, $350.

For expenses of maintaining and equipping horses and mail wagons for carrying the mails, $6,000, or so much thereof as may be necessary.

For materials for folding, $2,000.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $8,000.

For fuel and advertising, exclusive of labor, $2,500.
For purchase of furniture, $8,500.
For materials for furniture and repairs of same, exclusive of labor, $3,000.
For services in cleaning, repairing, and varnishing furniture, $2,000.
For packing boxes, $970.
For miscellaneous items, exclusive of labor, $50,000.
For rent of warehouse for storage of public documents for the Senate, $3,600, and authority is hereby given to use any part or all of said sum for moving documents contained in said warehouse to buildings owned by the Government.
For miscellaneous items on account of the Maltby Building, $17,280.
For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $25,000.
For reporting the debates and proceedings of the Senate, $30,000, payable in equal monthly installments.
To enable the Postmaster of the Senate to keep a constant supply of postage stamps for sale to Senators, $200.
The library collected by the National Monetary Commission is hereby made a part of the Library of Congress and is placed under the administration of the Librarian of Congress, and the sum of $500, or so much thereof as may be necessary, is hereby appropriated for the purpose of moving the books and the present stacks and shelving to the Library of Congress.

CAPITOL POLICE.

For captain, $1,800; 3 lieutenants, at $1,200 each, 2 special officers, at $1,200 each; and 67 privates, at $1,050 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives; in all, $78,150, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House of Representatives.
For contingent expenses, $300, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House of Representatives.

CONGRESSIONAL DIRECTORY.

For expenses of compiling, preparing, and indexing the Congressional Directory, to be expended under the direction of the Joint Committee on Printing, $1,600.

HOUSE OF REPRESENTATIVES.

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, $3,090,500.
For mileage of Representatives and Delegates, and expenses of Resident Commissioners, $154,000.
For compensation of the officers, clerks, messengers, and others in the service of the House of Representatives, namely:
Office of the Speaker: Secretary to the Speaker, $4,000; clerk to the Speaker's table, $3,600, and for preparing Digest of the Rules, $1,000 per annum; clerk to the Speaker, $1,600; messenger to the Speaker, $1,440; messenger to the Speaker's table, $1,200 (transferred from Doorkeeper's office); in all, $12,840.
Chaplain: For Chaplain of the House, $1,200.
Office of the Clerk: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $6,500; hire of horse and wagon for use of the Clerk's office, $900, or so much thereof as may be necessary; Chief Clerk, $4,500; journal clerk, and 2 reading clerks, at $4,000 each; disbursing clerk, $3,400; tally clerk, $3,300; file clerk, $3,250; enrolling clerk, $3,000; chief bill clerk, $3,000 (House resolution May 9, 1911); assistant to Chief Clerk, and assistant enrolling clerk, at $2,500 each; assistant disbursing clerk, $2,400; stationery clerk, $2,200; librarian, $2,100; assistant file clerk, $1,900; 2 assistant librarians, and 1 clerk, at $1,800 each; 3 clerks, at $1,680 each; bookkeeper, and assistant in disbursing office, at $1,600 each; 4 assistants to chief bill clerk, at $1,500 each (House resolution May 9, 1911); stenographer to Clerk, $1,400; locksmith, who shall be skilled in his trade, $1,300; messenger in Chief Clerk's office, and assistant in stationery room, at $1,200 each; messenger in file room, 1 messenger in disbursing office, and assistant in House library, at $1,100 each; stenographer to chief bill clerk, $1,000 (House resolution May 9, 1911); 3 telephone operators, at $900 each; 3 telephone operators, at $75 per month each from December 1, 1912, to March 31, 1913; night telephone operator, $900; for services of a substitute telephone operator when required, at $2.50 per day, $200; 2 laborers in the bathroom, at $900 each; 2 laborers, and page in enrolling room, at $720 each; allowance to Chief Clerk for stenographic and typewriter services, $1,000; in all, $92,150.
Under Superintendent of the Capitol Building and Grounds: Chief engineer, $1,900; 3 assistant engineers, at $1,300 each; 24 conductors of elevators, including 14 for service in the House Office Building, at $1,200 each, who shall be under the supervision and direction of the Superintendent of the Capitol Building and Grounds; machinist, $1,300; electrician, $1,200; 4 laborers, at $800 each; in all, $40,300.
Clerks, messengers, and janitors to committees: Clerk to the Committee on Accounts, $2,500, assistant clerk, $1,800, janitor, $1,000; clerk to the Committee on Agriculture, $2,500, assistant clerk, $1,800, janitor, $1,000; clerk to the Committee on Appropriations, $4,000, and $1,000 additional while the office is held by the present incumbent, assistant clerk and stenographer, $2,500, assistant clerk, $1,900, janitor, $1,000; clerk to the Committee on Banking and Currency, $2,000, assistant clerk, $1,200, janitor, $720; clerk to the Committee on the Census, $2,000, janitor, $720; clerk to the Committee on Claims, $2,500, assistant clerk, $1,200, janitor, $720; clerk to the Committee on Coinage, Weights, and Measures, $2,000, janitor, $720; clerk to the Committee on the District of Columbia, $2,500, assistant clerk, $1,800, janitor, $720; clerk to the Committee on Elections No. 1, $2,000, janitor, $1,000; clerk to the Committee on Elections No. 2, $2,000, janitor, $720; clerk to the Committee on Elections No. 3, $2,000, janitor, $720; clerk to the Committee on Enrolled Bills, $2,000, janitor, $720; clerk to the Committee on Foreign Affairs, $2,500, assistant clerk, $1,800, janitor, $720; clerk to the Committee on Immigration and Naturalization, $2,000, janitor, $720; clerk to the Committee on Indian Affairs, $2,500, assistant clerk, $1,800, janitor, $720; clerk to the Committee on Industrial Arts and Expositions, $2,000, janitor, $720; clerk to the Committee on Insular Affairs, $2,000, janitor, $720; clerk to the Committee on Interstate and Foreign Commerce, $2,500, additional clerk, $2,000, assistant clerk, $1,500, janitor, $1,000; clerk to the Committee on Irrigation of Arid Lands, $2,000, janitor, $720; clerk to the Committee on Invalid Pensions, $2,500, stenographer, $2,190, assistant clerk, $2,000, janitor, $1,000; clerk to the Committee on the Judiciary, $2,500, assistant clerk, $1,600, janitor, $720; clerk to the Committee on Labor, $2,000, janitor, $720; clerk to the Committee on the Library, $2,000, janitor, $720; clerk to the Committee on Merchant Marine and Fisheries, $2,000, janitor, $720; clerk to the Committee on Military Affairs, $2,500, assistant clerk, $1,500, janitor, $1,000; clerk to the Committee on Naval Affairs, $2,400, assistant clerk, $1,500, janitor, $1,000; clerk to the Committee on Patents, $2,000, janitor, $720; clerk to the Committee on Pensions, $2,500, assistant clerk, $1,600, janitor, $720; clerk to the Committee on the Post Office and Post Roads, $2,500, assistant clerk, $1,400, janitor, $1,000; clerk to the Committee on Printing, $2,000, janitor, $1,000; clerk to the Committee on Public Buildings and Grounds, $2,500, assistant clerk, $1,200, janitor, $720; clerk to the Committee on the Public Lands, $2,000, assistant clerk, $1,200, janitor, $720; clerk to the Committee on Revision of the Laws, $2,000, janitor, $720; clerk to the Committee on Rivers and Harbors, $2,500, assistant clerk, $1,800, janitor, $1,000; clerk to the Committee on Rules, $2,000, janitor, $720; clerk to the Committee on the Territories, $2,000, janitor, $720; clerk to the Committee on War Claims, $2,500, clerk, to continue Digest of Claims under resolution of March 7, 1888, $2,500, assistant clerk, $1,200, janitor, $720; clerk to the Committee on Ways and Means, $3,000, assistant clerk and stenographer, $2,000, assistant clerk, $1,900, janitor, $1,000, janitor, $720; in all, $162,230.
Janitors under the foregoing shall be appointed by the chairmen, respectively, of said committees, and shall perform under the direction of the Doorkeeper all of the duties heretofore required of messengers detailed to said committees by the Doorkeeper, and shall be subject to removal by the Doorkeeper at any time after the termination of the Congress during which they were appointed.
For 9 clerks to committees, at $6 each per day during the session, $6,480.
Office of Sergeant at Arms: Sergeant at Arms of the House of Representatives, $6,500; Deputy Sergeant at Arms, $2,500; cashier, $3,400; financial clerk, $2,700; bookkeeper, $2,200; deputy sergeant at arms in charge of pairs, $1,800; messenger, $1,400; skilled laborer, $840; stenographer and typewriter, $900; and for hire of horse and wagon for the office of the Sergeant at Arms, $600; in all, $22,840.
For police force House Office Building under the Sergeant at Arms, namely: One lieutenant, $1,200; 10 privates, at $1,050 each; in all, $11,700.
Office of Doorkeeper: Doorkeeper, $5,000; hire of horses and wagons and repairs of same, $1,200, or so much thereof as may be necessary; special employee, John T. Chancey, $1,800; special employee, $1,500; superintendent of reporters' gallery, $1,400; janitor, $1,500; 16 messengers, at $1,180 each; 14 messengers on the soldiers' roll, at $1,200 each; 15 laborers, at $720 each; laborer in the water-closet, $720; laborer, $680; 2 laborers, known as cloakroom men, at $840 each; 8 laborers, known as cloakroom men, 2 at $720 each, and 6 at $600 each; female attendant in ladies' retiring room, $800; superintendent of folding room, $2,500; 3 clerks, at $1,600 each; foreman, $1,800; messenger, $1,200; janitor, $720; laborer, $720; 32 folders, at $900 each; 2 drivers, at $840 each; 2 chief pages, at $1,200 each; messenger in charge of telephones, $1,200; messenger in charge of telephones (for the minority), $1,200; 46 pages, during the session, including 2 riding pages, 4 telephone pages, press-gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each, $13,800; superintendent of document room, $2,900; assistant superintendent, $2,100; clerk, $1,700; assistant clerk, $1,600; 7 assistants, at $1,280 each; assistant, $1,100; janitor, $920; messenger to press room, $1,000; in all, $148,900.
For employment of Joel Grayson in document room, $2,150.
For the following minority employees authorized and named in the resolution adopted by the House of Representatives April 10, 1911, namely: Special employee, $1,800; special messenger and assistant pair clerk, $1,800; special messenger, $1,500; special chief page and pair clerk, $1,800; in all, $6,900.
For the assistant department messenger authorized and named in the resolution adopted by the House of Representatives December 7, 1897, $2,000.
For the special messenger authorized and named in the resolution adopted by the House of Representatives January 15, 1900, $1,500.
To continue employment and for compensation of the assistant foreman of the folding room, authorized and named in the resolution adopted by the House of Representatives February 6, 1900, at $3.85 per day, $1,405.25.
To continue the employment of the person named in the resolution of the House adopted June 5, 1900, as a laborer, $840.
To continue the employment of the laborer authorized and named in the resolution of the House adopted December 19, 1901, $840.
To continue the employment of the special messenger authorized and named in the resolution of the House adopted April 10, 1911, $1,500.
Successors to any of the employees provided for in the seven preceding paragraphs may be named by the House of Representatives at any time.
For clerk to the conference minority of the House of Representatives, $2,000; assistant clerk, $1,200; janitor, $1,000; in all, $4,200. Said clerk, assistant clerk, and janitor to be appointed by the chairman of the conference minority.
Office of postmaster: Postmaster, $4,000; assistant postmaster, $2,200; registry and money-order clerk, $1,500; 12 messengers, including messenger to superintend transportation of mails, at $1,200 each; 14 messengers, at $100 per month each from December 1 to March 31, inclusive, 4 months, $5,600; and 1 laborer, $720; in all, $28,420.
For hire of horses and mail wagons for carrying the mails, $2,500, or so much thereof as may be necessary.
Official reporters: Six official reporters of the proceedings and debates of the House, at $5,000 each; assistant, $2,500; in all, $32,500.
For janitor for rooms of official reporters of debates, at $60 per month, $720.
Stenographers to committees: Four stenographers to committees, at $5,000 each; in all, $20,000.
For janitor to rooms of stenographers to committees, at $60 per month, $720.
That wherever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the 120 days from December 2, 1912, to March 31, 1913, both inclusive.
Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner for clerk hire necessarily employed by him in the discharge of his official and representative duties, $1,500 per annum, in monthly installments, $618,975, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with

the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

Contingent expenses, namely: For wrapping paper, pasteboard, paste, twine, newspaper wrappers, and other necessary materials for folding, for the use of Members of the House, and for use in the Clerk's office and the House folding room, not including envelopes, writing paper, and other paper and materials to be printed and furnished by the Public Printer, upon requisitions from the Clerk of the House, under the provisions of the act approved January 12, 1895, for the public printing and binding, $10,000.

For furniture, and materials for repairs of the same, $10,000.

For packing boxes, $3,500, or so much thereof as may be necessary.

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, $75,000.

For stationery for Members of the House of Representatives, Delegates from Territories, and Resident Commissioners, including $5,000 for stationery for the use of the committees and officers of the House, $54,750.

For postage stamps for the Postmaster, $250; for the Clerk, $450; for the Sergeant at Arms, $300; and for the Doorkeeper, $150; in all, $1,150.

LIBRARY OF CONGRESS.

General administration: Librarian of Congress, $6,500; chief assistant librarian, $4,000; chief clerk, $2,500; Librarian's secretary, $1,800; clerk, $1,200; clerk (assistant to chief clerk), $1,000; stenographers and typewriters—one at $1,200, one at $720; messenger, $840; junior messenger, $360; photostat operator, $600; in all, $20,720.

Mail and delivery: Assistant in charge, $1,500; assistants—one at $900, one at $720; junior messenger, $360; in all, $3,480.

Order and accession: Chief of division, $2,500; assistants—1 at $1,500, 1 at $1,200, 3 at $900 each, 2 at $720 each, 2 at $600 each, 1 at $520; 2 junior messengers, at $360 each; in all, $11,780.

Catalogue, classification, and shelf: Chief of division, $3,000; chief classifier, $2,000; assistants—4 at $1,800 each, 7 at $1,500 each, 6 at $1,400 each, 12 at $1,200 each, 6 at $1,000 each, 14 at $900 each, 4 at $800 each, 13 at $720 each, 3 at $600 each, 10 at $540 each, 4 at $480 each; 6 junior messengers, at $360 each; in all, $87,940.

Binding: Assistant in charge, $1,400; assistant, $900; junior messenger, $360; in all, $2,660.

Bibliography: Chief of division, $3,000; assistants—1 at $1,500, 2 at $900 each, 1 at $720; stenographer and typewriter, $900; junior messenger, $360; in all, $8,280.

Reading rooms (including evening service) and special collections: Superintendent of reading room, $3,000; assistants—2 at $1,800 each, 5 at $1,200 each, including 1 in division for the blind (formerly in free public library), 2 at the charging desk, at $1,080 each, 3 at $900 each, 10 at $720 each, 2 at $600 each; stenographer and typewriter, $900; attendant, Senate reading room, $900; attendants, Representatives' reading room—1 at $900 and 1 at $720; attendants—2 in cloak rooms at $720 each, 1 in Toner Library, $900, 1 in Washingtonian Library, $900, 2 for gallery and alcoves, at $480 each; telephone operator, $600; 4 junior messengers, at $360 each; 2 watchmen, at $720 each; evening service, 5 assistants, at $900 each; 15 assistants, at $720 each; 2 assistants, at $600 each; in all, $53,460.

Periodical (including evening service): Chief of division, $2,000; chief assistant, $1,500; assistants—2 at $900 each, 3 at $720 each; stenographer and typewriter, $900; 2 junior messengers, at $360 each; for arrears of sorting and collating and to enable periodical reading room to be opened in the evenings, 2 assistants, at $720 each; in all, $10,520.

Documents: Chief of division, $3,000; assistants—1 at $1,400, 1 at $720; stenographer and typewriter, $900; junior messenger, $360; in all, $6,380.

Manuscript: Chief of division, $3,000; chief assistant, $1,500; assistant, $900; junior messenger, $360; in all, $5,760.

Maps and charts: Chief of division, $3,000; assistants—1 at $1,400, 2 at $900 each, 1 at $720; junior messenger, $360; in all, $7,280.

Music: Chief of division, $3,000; assistants—1 at $1,500, 1 at $1,000, 2 at $720 each; junior messenger, $360; in all, $7,800.

Prints: Chief of division, $2,000; assistants—1 at $1,400, 2 at $900 each; junior messenger, $360; in all, $5,560.

Smithsonian deposit: Custodian, $1,500; assistant, $1,400; messenger, $720; junior messenger, $360; in all, $3,980.

Congressional Reference Library: Custodian, $1,500; assistants—1 at $1,200, 1 at $900, 1 at $720; 2 junior messengers, at $360 each; in all, $5,040.

Law Library: Law librarian, $3,000; assistants—2 at $1,400 each, 1 at $900, 1 at $480, 1 for evening service, $1,500; junior messenger, $360; in all, $9,040.

Copyright office, under the direction of the Librarian of Congress: Register of Copyrights, $4,000; assistant register of copyrights, $3,000; clerks—3 at $2,000 each, 2 at $1,800 each, 7 at $1,600 each, 1 at $1,500, 8 at $1,400 each, 10 at $1,200 each, 10 at $1,000 each, 18 at $900 each, 2 at $800 each, 10 at $720 each, 4 at $600 each, 2 at $480 each; 4 junior messengers, at $360 each. Arrears, special service: Three clerks, at $1,200 each; porter, $720; junior messenger, $360; in all, $96,980.

Distribution of card indexes: For service in connection with the distribution of card indexes and other publications of the Library, including not exceeding $500 for freight charges, expressage, and traveling expenses connected with such distribution, $24,500.

Temporary services: For special and temporary service, including extra special services of regular employees, at the discretion of the Librarian, $2,000.

Carrier service: For service in connection with the Senate and House Office Buildings, $960, or so much thereof as may be necessary.

Sunday opening: To enable the Library of Congress to be kept open for reference use from 2 until 10 o'clock p. m. on Sundays and legal holidays, within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, $10,000, or so much thereof as may be necessary.

Increase of Library of Congress: For purchase of books for the Library, including payment in advance for subscription books and society publications and for freight, commissions, and traveling expenses incidental to the acquisition of books by purchase, gift, or exchange, to continue available during the fiscal year 1914, $90,000, together with the unexpended balance of the sum appropriated for this object for the fiscal year 1912.

For purchase of books and for periodicals for the law library, under the direction of the Chief Justice, including payment in advance for subscriptions to law periodicals, $3,000;

For purchase of new books of reference for the Supreme Court, to be a part of the Library of Congress, and purchased by the marshal of the Supreme Court, under the direction of the Chief Justice, $2,000;

For purchase of miscellaneous periodicals and newspapers, including payment in advance for subscriptions to the same, $5,000;

In all, $100,000.

Contingent expenses: For miscellaneous and contingent expenses of the Library, stationery, supplies, and all stock and materials directly purchased, miscellaneous traveling expenses, postage, transportation, and all incidental expenses connected with the administration of the Library and the Copyright Office, which sum shall be so apportioned as to prevent a deficiency therein, $6,800.

Custody, care, and maintenance of Library building and grounds: Superintendent of the Library building and grounds, $5,000; chief clerk, $2,000; clerks—one at $1,600, one at $1,400, one at $1,000; messenger; assistant messenger; telephone switchboard operator; assistant telephone switchboard operator; captain of watch, $1,400; lieutenant of watch, $1,000; 16 watchmen, at $720 each; carpenter, painter, and foreman of laborers, 3 in all, at $900 each; 14 laborers, at $480 each; 2 attendants in ladies' room, at $480 each; 4 check boys, at $360 each; mistress of charwomen, $425; assistant mistress of charwomen, $300; 47 charwomen; chief engineer, $1,500; assistant engineers—1 at $1,200, 3 at $900 each; electrician, $1,200; machinists—1 at $1,000, 1 at $900; 2 wiremen and 1 plumber, at $900 each; 3 elevator conductors and 10 skilled laborers, at $720 each; in all, $72,185.

For extra services of employees and additional employees under the superintendent of Library building and grounds to provide for the opening of the Library building from 2 until 10 o'clock p. m. on Sundays and legal holidays, $2,800.

For fuel, lights, repairs, miscellaneous supplies, electric and steam apparatus, city directory, stationery, mail and delivery service, and all incidental expenses in connection with the custody, care, and maintenance of said building and grounds, $14,000.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto, $10,000.

BOTANIC GARDEN.

For superintendent, $1,800.

For assistants and laborers, under the direction of the Joint Library Committee of Congress, $14,593.75.

For procuring manure, soil, tools, fuel, purchasing trees, shrubs, plants, and seeds; and for services, materials, and miscellaneous supplies, and contingent expenses in connection with repairs and improvements to Botanic Gardens, under direction of the Joint Library Committee of Congress, $6,500.

EXECUTIVE.

For compensation of the President of the United States, $75,000.

For compensation of the Vice President of the United States, $12,000.

For the following in the office of the President of the United States: Secretary, at the rate of $7,500 per annum until March 4, 1913, and at the rate of $6,000 per annum on and after March 4, 1913; executive clerk, $5,000; chief clerk, $4,000; appointment clerk, $3,500; record clerk, $2,500; 2 expert stenographers, at $2,500 each; accountant, $2,500; 2 correspondents, at $2,250 each; disbursing clerk, $2,000; clerks—3 at $2,000 each, 6 of class 4, 2 of class 3, 5 of class 2, 2 of class 1; 1 clerk-messenger, $1,000; 2 messengers, at $900 each; 2 messengers; 3 laborers, at $720 each; in all, $72,056.66: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

For contingent expenses of the Executive Office, including stationery therefor as well as record books, telegrams, telephones, books for library, furniture and carpets for offices, horses, carriages, harness, automobiles, expenses of stable, including labor, and miscellaneous items, to be expended in the discretion of the President, $25,000.

CIVIL SERVICE COMMISSION.

For commissioner, acting as president of the commission, $4,500; 2 commissioners, at $4,000 each; chief examiner, $3,000; secretary, $2,500; assistant chief examiner, $2,250; 3 chiefs of division, at $2,000 each; examiner, $2,400; 3 examiners, at $2,000 each; 4 examiners, at $1,800 each; clerks—4 of class 4, 21 of class 3, 29 of class 2, 38 of class 1, 32 at $1,000 each; 20 clerks at $900 each; messenger; assistant messenger; engineer, $840; telephone switchboard operator; 2 firemen, at $720 each; 2 watchmen; 2 elevator conductors, at $720 each; 3 laborers; 3 messenger boys, at $360 each; 2 charwomen; in all, $229,830.

Field force: For 2 district secretaries, at $2,400 each; 1 district secretary, $2,200; 4 district secretaries, at $2,000 each; 2 district secretaries, at $1,800 each; clerks—1 of class 4, 1 of class 3, 1 of class 1, 7 at $1,000 each, 6 at $900 each, 5 at $840 each, 2 at $720 each; messenger; messenger boy, $480; in all, $42,560.

No detail of clerks or other employees from the executive departments or other Government establishments in Washington, D. C., to the Civil Service Commission, for the performance of duty in the District of Columbia, shall be made for or during the fiscal year 1913. The Civil Service Commission shall, however, have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office force, field force, or rural carrier examining board.

Expert examiners: For the employment of expert examiners not in the Federal service to prepare questions and rate papers in examinations on special subjects for which examiners within the service are not available, $2,000.

Electric conduit and connections: For electric conduit and connections, connecting the commission's building with the State, War, and Navy Department Building, $4,000.

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, $12,000.

Members of the Civil Service Commission and its duly authorized representatives are hereafter authorized to administer oaths to witnesses in any matter depending before the Civil Service Commission.

DEPARTMENT OF STATE.

For Secretary of State, $12,000; Assistant Secretary, $5,000; Second and Third Assistant Secretaries, at $4,500 each; director of the Con-

sular Service, $4,500; counselor for the Department of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500; 8 officers to aid in important drafting work, 4 at $4,500 each and 4 at $3,000 each, to be appointed by the Secretary of State, any one of whom may be employed as chief of division of far eastern, Latin American, near eastern, or European affairs, or upon other work in connection with foreign relations; assistant solicitor, $3,000; law clerk, $2,500; clerks—2 of class 3, 2 of class 1, 2 at $1,000 each; 3 assistant messengers; chief clerk, $3,000; 2 Assistant Solicitors of the Department of State, to be appointed by the Secretary of State, at $3,000 each; law clerk and assistant, to be selected and appointed by the Secretary of State, to edit the laws of Congress and perform such other duties as may be required of them, at $2,500 and $1,500, respectively; 2 chiefs of bureaus, at $2,250 each; 5 chiefs of bureaus, at $2,100 each; 2 translators, at $2,100 each; additional to Chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,500; clerk to the Secretary, $1,800; clerks—16 of class 4, 16 of class 3, 25 of class 2, 41 of class 1, 3 of whom shall be telegraph operators, 16 at $1,000 each, 19 at $900 each; chief messenger, $1,000; 5 messengers; 22 assistant messengers; messenger boy, $420; packer, $720; 4 laborers, at $600 each; telephone switchboard operator; assistant telephone switchboard operator; in all, $317,560.

For two clerks to be employed in the Department of State and to be charged with the distribution of information among the diplomatic missions, 1 at the rate of $1,800 per annum and 1 at the rate of $1,600 per annum; in all, $3,400.

Contingent expenses, Department of State: For stationery, furniture, fixtures, typewriters, including exchange of the same, repairs, and material for repairs, $11,000.

For books and maps, and periodicals, domestic and foreign, including the payment in advance for subscriptions to the same, for the library, $2,000.

For services of lithographer and necessary materials for the lithographic press, $1,500.

For miscellaneous expenses, including the purchase, care, and subsistence of horses, to be used only for official purposes, repair of vehicles and harness, telegraph and electrical apparatus and repairs to the same, street car tickets not exceeding $100, and other items not included in the foregoing, $7,000.

For purchase of an automobile mail wagon for official use of the Department of State, and maintenance of the same for fiscal year 1913, $1,000.

For rent of buildings in the District of Columbia for the use of the Department of State, $11,720.

TREASURY DEPARTMENT.

Office of the Secretary: Secretary of the Treasury, $12,000; 3 Assistant Secretaries of the Treasury, at $5,000 each; clerk to the Secretary, $2,500; executive clerk, $2,400; stenographer, $1,800; 3 private secretaries, 1 to each Assistant Secretary, at $1,800 each; Government actuary, under control of the Treasury, $2,250; clerks—1 of class 4, 4 of class 3, 2 of class 2; chief messenger, $1,100; 2 assistant chief messengers, at $1,000 each; 3 messengers, at $900 each; 3 messengers; in all, $60,670.

Office of chief clerk and superintendent: Assistant and chief clerk, including $300 as superintendent of Treasury building, who shall be the chief executive officer of the department and who may be designated by the Secretary of the Treasury to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the department, $4,000; assistant superintendent of Treasury building, $2,500; clerks—4 of class 4, 1 of class 3, 2 of class 2, 2 of class 1, 1 at $1,000, 1 at $900; 2 messengers; 3 assistant messengers; messenger boy, $360; storekeeper, $1,200; telegraph operator, $1,200; telephone operator and assistant telegraph operator, $1,200; chief engineer, $1,400; 3 assistant engineers, at $1,000 each; 8 elevator conductors, at $720 each, and the use of laborers as relief elevator conductors during rush hours is authorized; 8 firemen; coal passer, $500; locksmith and electrician, $1,400; captain of the watch, $1,400; 2 lieutenants of the watch, at $900 each; 65 watchmen; foreman of laborers, $1,000; 2 skilled laborers, at $840 each; 2 skilled laborers, at $720 each; wiremen—1 at $1,000, 1 at $900; 34 laborers; 10 laborers, at $500 each; 1 plumber, and 1 painter, at $1,100 each; plumber's assistant, $720 (in lieu of watchman-fireman, $720, Cox Building); 85 charwomen; carpenters—2 at $1,000 each, 1 at $720. For the Winder Building: Engineer, $1,000; 3 firemen; conductor of elevator, $720; 4 watchmen; 3 laborers, one of whom, when necessary, shall assist and relieve the conductor of elevator; laborer, $480; and 8 charwomen. For the Cox Building, 1709 New York Avenue: Two watchmen-firemen, at $720 each; and one laborer; in all $170,760.

General Supply Committee: Superintendent of supplies, $2,000, and 2 clerks of class 2; in all $4,800.

Division of Bookkeeping and Warrants: Chief of division, $3,500; assistant chief of division, $2,700; estimate and digest clerk, $2,500; 2 principal bookkeepers, at $2,100 each; 12 bookkeepers, at $2,000 each; clerks—14 of class 4, 6 of class 3, 6 of class 2, 3 of class 1; messenger; 3 assistant messengers; in all, $86,700.

Division of Customs: Chief of division, $4,000; assistant chief of division, $3,000; law clerks—5 at $2,500 each, 2 at $2,000 each; clerks—3 of class 4, 3 of class 3, 3 of class 2, 6 of class 1, 5 at $1,000 each; messenger; assistant messenger; messenger boy, $360; in all, $51,620.

Division of Appointments: Chief of division, $3,000; assistant chief of division, $2,000; executive clerk, $2,000; law and bond clerk, $2,000; clerks—3 of class 4, 4 of class 3, 5 of class 2, 6 of class 1, 4 at $1,000 each, 1 at $900; messenger; 2 assistant messengers; in all, $42,180.

Division of Public Moneys: Chief of division, $3,000; assistant chief of division, $2,000; clerks—5 of class 4, 4 of class 3, 4 of class 2, 1 of class 1, 1 at $1,000; messenger; assistant messenger; in all, $29,760.

Division of Loans and Currency: Chief of division, $3,500; assistant chief of division, $2,700; custodian of paper, $2,250; bond and interest clerk, $2,000 (in lieu of division chief at $2,000 transferred from register's office); clerks—5 of class 4 (1 transferred from register's office), 4 of class 3 (2 transferred from register's office), 5 of class 2 (3 transferred from register's office), 5 of class 1 (2 dropped and 4 transferred from register's office), 1 clerk, $1,000, 18 at $900 each; assorter of bonds, $800 (transferred from register's office); 12 expert money counters, at $720 each; messenger; 3 assistant messengers (1 transferred from register's office); 8 laborers; in all, $73,770.

Division of Revenue-Cutter Service: Assistant chief of division, $2,400; chief clerk, $2,000; law and contract clerk, $1,800; clerks—1 of class 4, 4 of class 3, 1 of class 2, 3 of class 1, 4 at $1,000 each, 3 at $900 each; messenger; laborer; in all, $27,600.

Division of Printing and Stationery: Chief of division, $2,500; assistant chief of division, $2,000; clerks—4 of class 4, 3 of class 3, 3 of class 2, 3 of class 1, 1 at $1,000, 1 at $900; bookbinder, $1,250; 3 messengers; assistant messenger; two laborers; messenger boy, $360; in all, $32,370.

Division of Mail and Files: Superintendent of mail, $2,500; registry clerk, $1,800; distributing clerk, $1,400; clerks—1 of class 2, 1 of class 1; 1 at $1,000; document clerk, $1,000; mail messenger, $1,000; 2 assistant messengers; messenger boy, $360; in all, $13,100.

Division of Special Agents: Assistant chief of division, $2,400; clerks—1 of class 3, 1 of class 2, 4 of class 1, 2 at $900 each; messenger; in all, $12,840.

Office of disbursing clerk: Disbursing clerk, $3,000; deputy disbursing clerk, $2,750; clerks—3 of class 4, 2 of class 3 (1 transferred from office of Auditor for War Department), 3 of class 2 (1 transferred from office of Auditor for Interior Department), 2 of class 1 (1 transferred from office of Auditor for Interior Department), clerk $1,000; messenger; in all, $22,790.

Office of the Supervising Architect: Supervising Architect, $5,000; executive officer, $3,250; chief constructor (formerly superintendent of drafting and constructing division), $3,000; chief computer (formerly superintendent of computing division), $2,750; chief of files and records division (formerly chief of law and records division), $2,500; chief of accounts division, $2,500; chief of maintenance division (formerly chief of inspection division), $2,500; chief mechanical and electrical engineer, $2,750; 4 technical clerks, at $1,800 each; clerks—7 of class 4 (additional to 1 clerk of class 4 as bookkeeper, $100), 9 of class 3, 5 of class 2, 1 of class 1; foreman of duplicating gallery, $1,800; 4 messengers; assistant messenger; 1 laborer; 4 inspectors, at $2,190 each; inspector, $1,800; in all, $83,850.

For the following now authorized and payable from general appropriations, namely: For chief of technical division, $3,000; assistant constructor, $2,750; assistant chief of files and record division, $2,250; chief structural engineer, $2,750; assistant chief structural engineer, $2,400; inspectors of supplies—1 at $2,300, 1 at $1,800; inspectors—5 at $2,300 each, 3 at $2,000 each, 1 at $1,800; photographer, $2,000; 6 administrative clerks, at $2,000 each; clerks—1 of class 4, 4 at $1,700 each, 4 of class 3, 6 at $1,500 each; 8 of class 2, 8 at $1,300 each, 13 of class 1, 4 at $1,100 each, 6 at $1,000 each, 3 at $900 each, 2 at $840 each; duplicating paper chemist, $1,200; foreman vault, safe and lock shop, $1,100; assistant messenger; messenger boys—3 at $480 each, 2 at $360 each; skilled laborers—4 at $1,000 each, 7 at $960 each, 1 at $900, 1 at $840; laborer, $600; in all, $144,770, which shall be paid out of the appropriation made in the sundry civil appropriation act for the fiscal year 1913 for "General Expenses of Public Buildings."

For the fiscal year 1914 and annually thereafter specific estimates shall be submitted for salaries for all personal services of the foregoing character required in the Office of the Supervising Architect of the Treasury, and except as appropriations may be made thereunder no such personal services shall be employed in said office at Washington, D. C.

Office of Comptroller of the Treasury: Comptroller of the Treasury, $6,000; Assistant Comptroller of the Treasury, $4,500; chief clerk $2,500; chief law clerk, $2,500; 9 law clerks revising accounts and briefing opinions—1 at $2,100 and 8 at $2,000 each; expert accountants—6 at $2,000 each; private secretary, $1,800; clerks—8 of class 4, 3 of class 3, 1 of class 2; stenographer and typewriter, $1,400; typewriter-copyist, $1,000; 2 messengers; assistant messenger; 1 laborer; in all, $73,460.

Hereafter the administrative examination of all public accounts, preliminary to their audit by the accounting officers of the Treasury, shall be made as contemplated by the so-called Dockery Act, approved July 31, 1894, and all vouchers and pay rolls shall be prepared and examined by and through the administrative heads of divisions and bureaus in the executive departments and not by the disbursing clerks of said departments, except those vouchers heretofore prepared outside of Washington may continue to be so prepared and the disbursing officers shall make only such examination of vouchers as may be necessary to ascertain whether they represent legal claims against the United States.

Office of Auditor for Treasury Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; 2 chiefs of division, at $2,000 each; clerks—18 of class 4, 15 of class 3, 13 of class 2, 31 of class 1, 10 at $1,000 each, 4 at $900 each; 3 assistant messengers; 3 laborers; in all, $141,790.

Office of Auditor for War Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; Chief of Division of Accounts, $2,500; 2 chiefs of division, at $2,000 each; clerks—24 of class 4, 49 of class 3 (1 transferred to disbursing clerk), 62 of class 2, 50 of class 1, 10 at $1,000 each, 5 at $900 each; skilled laborer, $900; messenger; 5 assistant messengers, 10 laborers; messenger boy, $480; in all, $310,070.

Office of Auditor for Navy Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; chief of division, $2,000; assistant chief of division, $2,000; clerks—11 of class 4, 20 of class 3, 16 of class 2, 23 of class 1, 11 at $1,000 each, 9 at $900 each; messenger; assistant messenger; 3 laborers; in all, $136,690.

Office of Auditor for Interior Department: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; 2 chiefs of division, at $2,000 each; clerks—14 of class 4, 16 of class 3, 28 of class 2 (1 transferred to office of disbursing clerk), 25 of class 1 (1 transferred to office of disbursing clerk), 11 at $1,000 each, 1 at $900; 2 messengers; 3 assistant messengers; 1 laborer; in all, $148,650.

Office of Auditor for State and other Departments: Auditor, $4,000; chief clerk and chief of division, $2,250; law clerk, $2,000; 2 chiefs of division, at $2,000 each; clerks—16 of class 4, 1 of class 4 (special examiner), 17 of class 3, 13 of class 2, 13 of class 1, 5 at $1,000 each, 5 at $900 each; 1 messenger; 2 assistant messengers; 2 laborers; in all, $116,950.

Office of Auditor for Post Office Department: Auditor, $5,000; assistant and chief clerk, $3,000; law clerk, $3,000; expert accountant, $2,750; 4 chiefs of division, at $2,250 each; 4 assistant chiefs of division, at $2,000 each; 4 principal bookkeepers, at $2,000 each; clerks—27 of class 4, 51 of class 3, 62 of class 2, 91 of class 1, 59 at $1,000 each; 55 at $900 each; skilled laborer, $1,000; skilled laborers (formerly money-order assorters)—15 at $840 each, 25 at $780 each, 84 at $720 each, 49 at $660 each; female laborer, $660; 8 skilled laborers, at $840 each; 11 skilled laborers, at $720 each; messenger boys—4 at $480 each, 5 at $360 each; 9 male laborers, at $660 each; forewoman, $480; and 19 charwomen; in all, $629,370.

Provided, That the Secretary of the Treasury may, during the fiscal year 1913, in his discretion, diminish the number of positions of the several grades below the grade of clerk at $1,000 per annum in the office of the Auditor for the Post Office Department and use the unexpended balances of the appropriations for the positions so diminished

as a fund to pay, on a piece-rate basis, to be fixed by the Secretary of the Treasury, the compensation of such number of employees as may be necessary to tabulate, by the use of mechanical devices, the accounts and vouchers of the postal service.

Postal Savings System, Audit of the Accounts of, Office of Auditor for the Post Office Department.—The Secretary of the Treasury may employ such number of clerks and employees of the several classes and at the several rates of compensation recognized by law, and expend such sums for contingent and miscellaneous items, as may be necessary, in his judgment, to audit the accounts of the postal-saving system in the office of the Auditor for the Post Office Department: *Provided*, That the money required to pay such clerks and employees, and contingent and miscellaneous items, not exceeding $50,000 for the fiscal year 1913, shall be advanced to the Secretary of the Treasury at regular intervals out of any available appropriation for the establishment, maintenance, and extension of postal-savings depositories: *Provided further*, That estimates hereunder shall be submitted in detail for the fiscal year 1914 and annually thereafter.

Office of the Treasurer: Treasurer of the United States, $8,000; Assistant Treasurer, $3,600; Deputy Assistant Treasurer, $3,200; cashier, $3,600; assistant cashier, $3,000; chief clerk, $2,500; 5 chiefs of division, at $2,500 each; assistant chief of division, $2,250; vault clerk, $2,500; principal bookkeeper, $2,500; assistant bookkeeper, $2,100; 2 tellers, at $2,500 each; 2 assistant tellers, at $2,250 each; vault clerk, Bond Division, $2,000; clerk for the Treasurer, $1,800; clerks—24 of class 4, 18 of class 3, 15 of class 2, 33 of class 1, 18 at $1,000 each, 24 at $900 each; coin clerk, $1,400; expert counters—29 at $900 each, 15 at $800 each, 40 at $720 each, 17 at $700 each; mail messenger, $840; 8 messengers; 7 assistant messengers; 23 laborers; 6 messenger boys, at $360 each; compositor and pressman, $1,600; pressman, $1,400; silver piler, $1,000; in all, $345,390.

For the force employed in redeeming the national currency (to be reimbursed by the national banks), namely: Superintendent, $3,500; teller, $2,500; bookkeeper, $2,400; assistant teller and assistant bookkeeper, at $2,000 each; clerks—5 of class 4, 7 of class 3, 9 of class 2, 25 of class 1; expert counters—10 at $1,200 each, 52 at $1,000 each, 42 at $900 each, 32 at $800 each, 18 at $700 each; 2 messengers; 4 assistant messengers; 4 charwomen; in all, $220,720.

Salaries, force employed on work of the Postal Savings System in the office of the Treasurer of the United States (reimbursable): The Secretary of the Treasury may employ such number of clerks and employees of the several classes and at the several rates of compensation recognized by law, and expend such sums for contingent and miscellaneous items, as may be necessary, in his judgment, to transact the business of the Postal Savings System in the office of the Treasurer of the United States: *Provided*, That the money required to pay such clerks and employees, and contingent and miscellaneous items, not exceeding $18,000 for the fiscal year 1913, shall be advanced to the Secretary of the Treasury at regular intervals out of any available appropriation for the establishment, maintenance, and extension of postal savings depositories: *Provided further*, That estimates hereunder shall be submitted in detail for the fiscal year 1914, and annually thereafter.

For repairs to canceling and cutting machines in the office of the Treasurer of the United States, $200.

Office of the Register of the Treasury: Register, $4,000; Assistant Register, $2,500; chief of division, $2,000 (one transferred to Loans and Currency Division); clerks—3 of class 4 (one transferred to Loans and Currency Division); 3 of class 3 (two transferred to Loans and Currency Division and one dropped); 2 of class 2 (three transferred to Loans and Currency Division); 5 of class 1 (four transferred to Loans and Currency Division); 4, at $1,000 each; 18, at $900 each; messenger; assistant messenger (one transferred to Loans and Currency Division); and 2 laborers; in all, $50,580.

Office of the Comptroller of the Currency: Comptroller of the Currency, $5,000; Deputy Comptroller, $3,500; Deputy Comptroller, $3,000; chief clerk, $2,500; chiefs of division—1 at $2,500, 2 at $2,200 each; bookkeeper, $2,000; assistant bookkeeper, $2,000; clerks—8 of class 4, additional to bond clerk, $200, 13 of class 3, 13 of class 2, 26 of class 1, 13 at $1,000 each; 7 at $900 each; stenographer, $1,600; 6 counters, at $840 each; messenger; 5 assistant messengers; 3 laborers; 2 messenger boys, at $360 each; in all, $142,780.

For expenses of the national currency (to be reimbursed by the national banks), namely: Superintendent, $2,500; teller, $2,000; clerks—1 of class 4, 1 of class 3, 4 of class 2, 5 of class 1, 4 at $1,000 each, 5 at $900 each; engineer, $1,000; 12 expert counters, at $840 each; 3 counters, at $700 each; assistant messenger; fireman; messenger boy, $360; 2 charwomen; in all, $43,460.

For expenses of special examinations of national banks and bank plates, of keeping macerator in Treasury Building in repair, and for other incidental expenses attending the working of the macerator, and for procuring information relative to banks other than national, $4,800.

Office of the Commissioner of Internal Revenue: Commissioner of Internal Revenue, $6,000; deputy commissioner, $4,000; deputy commissioner, $3,600; chemist, $2,500; first assistant chemist, $1,800; second assistant chemist, $1,600; third assistant chemist, $1,400; 3 heads of divisions, at $2,500 each; 6 heads of divisions, at $2,250 each; superintendent of stamp vault, $2,000; private secretary, $1,800; clerks—2 at $2,000 each; 29 of class 4, 25 of class 3, 37 of class 2, 37 of class 1; 32, at $1,000 each; 42, at $900 each; 3 messengers; 21 assistant messengers; and 16 laborers; in all, $336,100.

For the following, formerly authorized and paid from appropriation for "withdrawal of denatured alcohol," namely: Chief chemist, $3,000; first assistant chemist, $1,800; clerks—1 of class 4, 1 of class 3, 4 of class 2, 3 of class 1; 1 messenger; in all, $18,240.

For stamp agent, $1,600; stamp agent, $900; counter, $900; in all, $3,400, the same to be reimbursed by the stamp manufacturers.

Office of Life-Saving Service: General Superintendent of the Life-Saving Service, $4,000, and $500 additional while the office is held by the present incumbent; assistant general superintendent, $2,500; principal clerk, $2,000; title and contract clerk, $2,000; topographer and hydrographer, $1,800; civil engineer, $1,800; draftsman, $1,500; clerks—3 of class 4, 5 of class 3, 4 of class 2, 5 of class 1, 3 at $1,000 each, 2 at $900 each; messenger; assistant messenger; laborer; in all, $48,120.

Bureau of Engraving and Printing: Director, $6,000; assistant director, $3,500; chief of division of assignments and reviews, $3,000; chief clerk, $2,500; medical and sanitary officer, $2,000; stenographer, $1,800; clerks—1 of class 4; 6 of class 3, 9 of class 2, 9 of class 1, 8 at $1,000 each, 10 at $900 each, 6 at $840 each, 15 at $780 each; disbursing agent, $2,400; storekeeper, $1,600; assistant storekeeper, $1,000; clerk in charge of purchases and supplies, $2,000; 9 attendants at $600 each; helpers—2 at $900 each, 2 at $720 each, 2 at $600 each; 3 messengers; 7 assistant messengers; captain of the watch, $1,400; 2 lieutenants of the watch, at $900 each; 46 watchmen; 2 forewomen of charwomen, at $540 each; 19 day charwomen, at $400 each; 52 morning and evening charwomen, at $300 each; foreman of laborers, $900; 4 laborers; 75 laborers, at $540 each; in all, $216,380; and no other fund appropriated by this or any other act shall be used for services, in the Bureau of Engraving and Printing, of the character specified in this paragraph, except in cases of emergency arising after the passage of this act, and then only on the written approval of the Secretary of the Treasury.

Secret Service Division: Chief $3,600; assistant chief, who shall discharge the duties of chief clerk, $3,000; clerks—1 of class 4, 1 of class 3, 2 of class 2, 1 of class 1, 1 at $1,000; assistant messenger; in all, $15,720.

Office of the Director of the Mint: Director, $5,000; examiner, $3,000; computer and adjuster of accounts, $2,500; assayer, $2,200; clerks—2 of class 4, 2 of class 3, 1 of class 1; private secretary, $1,400; messenger; assistant in laboratory, $1,200; assistant messenger; skilled laborer, $720; in all, $25,580.

For freight on bullion and coin, by registered mail or otherwise, between mints and assay offices, $25,000.

For contingent expenses of the Bureau of the Mint, to be expended under the direction of the director, namely: For assay laboratory chemicals, fuel, materials, balances, weights, and other necessaries, including books, pamphlets, periodicals, specimens of coins, ores, and incidentals, $800.

For examinations of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations, and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, $4,000.

Office of Surgeon General of Public Health and Marine-Hospital Service: Surgeon General, $5,000; chief clerk, $2,000; private secretary to the Surgeon General, $1,800; clerks—3 of class 4, 2 of class 3, 6 of class 2, one of whom shall be translator, 7 of class 1, 3 at $900 each; messenger; three assistant messengers; two laborers, at $540 each; in all, $40,980.

Contingent expenses, Treasury Department: For the following sums, which shall be so apportioned as to prevent deficiencies therein, namely:

For stationery for the Treasury Department and its several bureaus and offices, $50,000, and in addition thereto sums amounting to $86,150 shall be deducted from other appropriations made for the fiscal year 1913 as follows: Contingent expenses, Independent Treasury, $7,200; contingent expenses, mint at Philadelphia, $500; contingent expenses, mint at San Francisco, $300; contingent expenses, mint at Denver, $300; contingent expenses, assay office at New York, $500; materials and miscellaneous expenses, Bureau of Engraving and Printing, $3,300; suppressing counterfeiting and other crimes, $400; expenses of Revenue-Cutter Service, $2,100; Public Health and Marine-Hospital Service, $1,850; Quarantine Service, $590; preventing the spread of epidemic diseases, $260; Life-Saving Service, $1,400; fuel, lights, and water for public buildings, $4,750; general expenses of public buildings, $3,550; collecting the revenue from customs, $37,300; miscellaneous expenses of collecting internal revenue, $18,700; and for expenses of collecting the corporation tax, $3,150; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $50,000, the total appropriation for stationery for the Treasury Department and its several bureaus and offices for the fiscal year 1913.

For postage required to prepay matter addressed to Postal Union countries, and for postage for the Treasury Department, $1,000.

For materials for the use of the bookbinder located in the Treasury Department, $250.

For newspaper clippings, law books, city directories, and other books of reference relating to the business of the department, $1,000.

For investigation and experimentation and to secure better methods of administration, with a view to increased efficiency or to greater economy in the expenditure of public money, including necessary traveling expenses, in connection with special work, or obtaining of better administrative methods in any branch of the service within or under the Treasury Department, including the temporary employment of agents, stenographers, accountants, or other expert services either within or without the District of Columbia, $20,000.

For freight, expressage, telegraph and telephone service, $7,000.

For rent of buildings, $52,000.

For purchase, exchange, maintenance, and repair of motor trucks, and maintenance of horses and carriages, to be used for official purposes only, including not exceeding $6,000 for the purchase of two motor trucks and one motor delivery wagon, $8,000.

For purchase of file holders and file cases, $4,000.

For purchase of coal, wood, engine oils and grease, grates, grate baskets and fixtures, blowers, coal hods, coal shovels, pokers, and tongs, $12,000.

For purchase of gas, electric current for lighting and power purposes, gas and electric-light fixtures, electric-light wiring and material, candles, candlesticks, droplights and tubing, gas burners, gas torches, globes, lanterns, and wicks, $17,000.

For washing and hemming towels, for the purchase of awnings and fixtures, window shades and fixtures, alcohol, benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamois skins, cotton waste, door and window fasteners, dusters; flower-garden, street, and engine hose; lace leather, lye, nails, oils, plants, picks, pitchers, powders, stencil plates, hand stamps and repairs of same, stamp ink, spittoons, soap, matches, match safes, sponges, tacks, traps, thermometers, toilet paper, tools, towels, towel racks, tumblers, wire, zinc, and for blacksmithing, repairs of machinery, removal of rubbish, sharpening tools, street car tickets not exceeding $250, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles, $11,500.

For purchase of labor-saving machines, including the purchase and exchange of registering accountants, numbering machines, and other machines of a similar character, including time stamps for stamping date of receipt of official mail and telegrams, and repairs thereto, $8,000.

For shelving and transferring records and files from and to the Treasury Building and its annexes in Washington, $500.

For purchase of carpets, carpet border and lining, linoleum, mats, rugs, matting, and repairs, and for cleaning, cutting, making, laying, and relaying of the same, by contract, $3,000.

For purchase of boxes, book rests, chairs, chair caning, chair covers, desks, bookcases, clocks, cloth for covering desks, cushions, leather for covering chairs and sofas, locks, lumber, screens, tables, typewriters, including the exchange of same, wardrobe cabinets, washstands, water coolers and stands, and for replacing other worn and unserviceable articles, $10,000.

For maintenance of the automatic fire-alarm systems in the Treasury and Winder Buildings, $2,166.

Electrical burglar-alarm devices, Treasury Building, Washington, D. C.: For installation and maintenance of electrical burglar-alarm devices in the Treasury Building at Washington, D. C., $720.

Contingent and miscellaneous expenses, Office of Auditor for the Post Office Department, viz: For miscellaneous items, including purchase, repair, and exchange of typewriting machines, of which not exceeding $375 may be used for rental of telephones, and not exceeding $300 may be used for the purchase of law books, books of reference, and city directories, $3,500.

For furniture and repairs, $1,500.

For purchase, exchange, and repair of adding machines, $1,000.

In all, $6,000, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury and to operate as a specific exception of the said office from the appropriation for contingent expenses, Treasury Department, unless otherwise provided by law.

For the purchase of tabulating equipment for use in auditing accounts and vouchers of the postal service, including exchange, repairs, miscellaneous expenses of installation, cards and filing devices, $81,700, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That not exceeding $16,800 may be expended for the rental of tabulating and card-sorting machines.

COLLECTING INTERNAL REVENUE.

For salaries and expenses of collectors of internal revenue, and deputy collectors, and surveyors, and clerks, messengers, and janitors in internal-revenue offices, $2,100,000: *Provided*, That no part of this amount be used in defraying the expenses of any officer, designated above, subpœnaed by the United States court 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."

On and after October 1, 1912, the whole number of collection districts for the collection of internal revenue and the whole number of collectors of internal revenue shall not exceed 63.

For salaries and expenses of 40 revenue agents provided for by law, and fees and expenses of gaugers, salaries and expenses of storekeepers and storekeeper-gaugers, $2,565,000.

For rent of offices outside of the District of Columbia, telephone service, and other miscellaneous expenses incident to the collection of internal revenue, and for the purchase of necessary books of reference and periodicals for the chemical laboratory and law library, at a cost not to exceed $500, and reasonable expenses for not exceedings 60 days immediately following the injury of field officers or employees in the Internal-Revenue Service while in line of duty, of medical attendance, surgeon's and hospital bills made necessary by reason of such injury, and for horses crippled or killed while being used by officers in making raids, not exceeding $150 for any horse so crippled or killed, $75,000.

For expenses of collecting the corporation tax authorized by the tariff act approved August 5, 1909, $150,000.

For classifying, indexing, exhibiting, and properly caring for the returns of all corporations required by section 38 of the tariff act approved August 5, 1909, including the employment in the District of Columbia of such clerical and other personal services and for rent of such quarters as may be necessary, $30,000: *Provided*, That any and all such returns shall be open to inspection only upon the order of the President, under rules and regulations to be prescribed by the Secretary of the Treasury and approved by the President.

INDEPENDENT TREASURY.

Office of assistant treasurer at Baltimore: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,900; exchange teller, $1,800; vault clerk, $1,800; 2 clerks, at $1,600 each; 3 clerks, at $1,400 each; 4 clerks, at $1,200 each; 5 clerks, at $1,000 each; messenger, $840; 3 watchmen, at $720 each; in all, $34,700.

Office of assistant treasurer at Boston: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,500; clerk, $2,200; vault clerk, $2,000; receiving teller, $2,000; redemption teller, $1,800; 5 clerks, at $1,600 each; clerk, $1,500; 1 clerk, $1,400; 4 clerks, at $1,200 each; 3 clerks, at $1,100 each; 5 clerks, at $1,000 each; clerk, $900; chief guard, $1,100; 3 watchmen, at $850 each; laborer and guard, $720; in all, $47,270.

Office of assistant treasurer at Chicago: Assistant treasurer, $5,000; cashier, $3,000; vault clerk, $2,250; paying teller, $2,500; assorting teller, $2,000; redemption teller, $2,000; change teller, $2,000; receiving teller, $2,000; clerk, $1,600; bookkeeper, $1,800; 2 bookkeepers, at $1,500 each; clerk, $1,600; clerk, $1,750; 3 clerks, at $1,500 each; 6 clerks, at $1,500 each; 22 clerks, at $1,200 each; clerk, $900; hall man, $1,100; messenger, $840; 3 watchmen, at $720 each; janitor, $720; in all, $76,120.

Office of assistant treasurer at Cincinnati: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $1,800; 4 clerks, at $1,200 each; 2 clerks, at $1,300 each; vault clerk, $1,800; bookkeeper, $1,800; clerk, $1,200; two clerks, at $1,000 each; clerk and stenographer, $1,000; chief watchman, $840; 2 watchmen, at $600 each; in all, $27,790.

Office of assistant treasurer at New Orleans: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $2,000; vault clerk, $1,800; bookkeeper, $1,500; clerk, $1,500; assorting teller, $1,200; 6 clerks, at $1,200 each; 2 clerks, at $1,000 each; typewriter and stenographer, $1,000; day watchman, $720; night watchman, $720; messenger, $500; in all, $28,890.

Office of assistant treasurer at New York: Assistant treasurer, $8,000; cashier (formerly deputy assistant treasurer and cashier), $4,200; assistant cashier (formerly assistant cashier and chief clerk), $3,600; chief of check pay division (formerly assistant cashier and vault clerk), $3,000; bond clerk and assistant vault clerk (formerly chief of division), $2,800; paying teller (formerly chief of division), $3,000; receiving teller (formerly chief of division), $2,800; chief of redemption division (formerly chief of division), $2,700; vault and authorities clerk (formerly chief of division), $2,500; chief clerk (formerly chief paying teller), $3,000; chief of coin division (formerly chief of division), $2,700; chief bookkeeper, $2,400; assistant chief of canceled check division (formerly assistant teller), $2,250; assistant chief of redemption division (formerly assistant teller), $2,250; assistant paying teller (formerly assistant teller), $2,250; paying teller, coin division (formerly assistant teller), $2,100; assistant chief, check pay division (formerly assistant teller), $2,000; assistant chief, coin division (formerly assistant teller), $2,000; chief of minor coin division (formerly assistant teller), $2,000; 4 bookkeepers (formerly assistant tellers), at $2,000 each; paying teller, minor coin division (formerly assistant teller), $1,800; assistant receiving teller (formerly assistant teller), $1,800; 2 bookkeepers (formerly assistant tellers), at $1,500 each; clerks—1 at $2,300, 1 at $2,100, 2 at $2,000 each, 1 (formerly assistant teller), $1,900, 3 (formerly assistant tellers), at $1,800 each, 1 (formerly assistant teller), $1,700, 6 at $1,600 each, 9, at $1,500 each; 13, at $1,400 each; 8, at $1,300 each; 14, at $1,200 each; 5, at $1,100 each; 5, at $1,000 each; messengers—2 at $1,200 each, 5 at $900 each, 2 at $800 each; chief guard (formerly chief detective), $1,500; guard (formerly assistant detective), $1,200; 2 guards (formerly 2 hall men), at $1,000 each; superintendent of building, $1,800; chief engineer (formerly engineer), $1,200; 2 engineers, at $1,050 each; 8 watchmen, at $720 each; in all, $190,610.

Office of assistant treasurer at Philadelphia: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,250; coin teller, $2,000; vault clerk, $1,900; bookkeeper, $1,800; assorting teller, $1,800; receiving teller $1,700; redemption teller, $1,600; clerks—1 at $1,600, 2 at $1,500 each, 3 at $1,400 each, 1 at $1,300, 5 at $1,200 each, 1 at $1,000; chief guard, $1,100; 6 counters, at $900 each; 6 watchmen, at $720 each; in all, $48,470.

Office of assistant treasurer at St. Louis: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,800; assorting teller, $1,800; change teller, $1,600; 3 clerks, at $1,500 each; coin teller, $1,200; bookkeeper, $1,500; 7 clerks, at $1,200 each; 2 clerks, at $1,100 each; 3 clerks, at $1,000 each; 3 clerks, at $900 each; 2 watchmen, at $720 each; 2 janitors, at $600 each; guard, $720; in all, $41,060.

Office of assistant treasurer at San Francisco: Assistant treasurer, $4,500; cashier, who also acts as vault clerk, $3,000; bookkeeper, $2,000; clerk, $2,000, paying teller, $2,400; receiving teller $2,000; three clerks, at $1,800 each; clerk, $1,500; clerk, $1,400; two clerks, at $900 each; messenger, $840; four watchmen, at $720 each; in all, $29,720.

For paper for interest, transfer, redemption, pension, and other checks and drafts for the use of the Treasurer of the United States, assistant treasurers, pension agents, disbursing officers, and others, $9,000.

MINTS AND ASSAY OFFICES.

Mint at Carson, Nev.: Assayer in charge, who shall also perform the duties of melter, $2,250; assistant assayer, $1,500; chief clerk, $1,600; clerk, $1,000; in all, $6,350.

For wages of workmen and other employees, $6,200.

For incidental and contingent expenses, $3,000.

Mint at New Orleans, La.: Assayer, who shall have general charge of the institution as under section 3560, Revised Statutes, and who shall be a practical assayer, $2,500; assistant assayer, $1,500; chief clerk, who shall perform the duties of cashier, $1,500; three clerks, $1,200 each; assayer's assistant, $1,200; in all, $10,300.

For wages of workmen and other employees, $7,500.

For incidental and contingent expenses, $3,500.

Mint at San Francisco, Cal.: Superintendent, $4,500; assayer, superintendent melting and refining department, and superintendent coining department, at $3,000 each; chief clerk, and cashier, at $2,500 each; bookkeeper, $2,000; assistant assayer, $2,200; assistant melter and refiner, and assistant coiner, at $2,000 each; assistant cashier, $1,800; assistant bookkeeper, $1,800; assayer's assistant, $2,000; deposit weigh clerk, $2,000; one clerk, $2,000; one clerk, $1,800; six clerks, at $1,600 each; private secretary, $1,400; two clerks, at $1,400 each; two clerks, at $1,200 each; in all, $54,300.

For wages of workmen and other employees, $122,500.

For incidental and contingent expenses, including new machinery and repairs, exclusive of that required for the refinery, melter and refiners' wastage, and loss on sale of sweeps, arising from the manufacture of ingots for coinage, and for wastage and loss on sale of coiners' sweeps, $40,000.

Assay office at Boise, Idaho: Assayer in charge, who shall also perform the duties of melter, $2,250; assistant assayer, $1,600; chief clerk, who shall also perform the duties of cashier, $1,500; assayer's assistant, $1,500, one clerk, $1,200; in all, $8,050.

For wages of workmen and other employees, $3,540.

For incidental and contingent expenses, $2,500.

Assay office at Charlotte, N. C.: Assayer and melter, $1,500.

For wages of workmen and other clerks and employees, $900.

For incidental and contingent expenses, $400.

Assay office at Deadwood, S. Dak.: Assayer in charge, who shall also perform the duties of melter, $2,000: clerk, $1,200; assistant assayer, $1,600; assayer's assistant, $1,400; in all, $6,200.

For wages of workmen and other employees, $3,000.

For incidental and contingent expenses, new machinery, etc., $1,500.

Assay office at Helena, Mont.: Assayer in charge, $2,500; chief clerk, who shall also perform the duties of cashier, $1,800; clerk, $1,600; clerk, $1,400; assistant assayer, $1,700; assayer's assistant, $1,400; in all, $10,400.

For wages of workmen and other employees, $6,500.

For incidental and contingent expenses, $3,250.

Assay office at Seattle, Wash.: Assayer in charge, who shall also perform the duties of melter, $2,750; assistant assayer, $2,000; chief clerk, who shall also perform the duties of cashier, $2,000; one clerk, $1,700; two clerks, at $1,600 each; clerk, $1,400; in all, $13,050.

For wages of workmen and other employees, $22,000.

For incidental and contingent expenses, including rent of building, $6,500.

Assay office at Salt Lake City, Utah: Assayer in charge, who shall also perform the duties of melter, $2,500; assistant assayer, $1,600; chief clerk, who shall also perform the duties of cashier, $1,600: *Provided*, That the chief clerk shall perform the duties of assayer in charge in his absence; clerk, $1,400; in all, $7,100.

For wages of workmen and other employees, $4,500.

For incidental and contingent expenses, $3,500.

The position of coiner, which has heretofore existed in each of the coinage mints, and the position of melter and refiner, which has heretofore existed in each of the coinage mints and in the United States assay office at New York, are hereby abolished, to take effect on and after July 1, 1912, and on and after that date the duties and responsibilities heretofore imposed by law on the officers holding said positions in each of said mints and the assay office shall devolve upon the superintendents of said institutions; and all assistants and employees of the mints and assay offices of the United States shall, from and after July 1, 1912, be appointed by the Secretary of the Treasury.

Mint at Denver, Colo.: Superintendent, $4,500; assayer, $3,000; superintendent melting and refining department, $3,000; superintendent coining department, $2,500; chief clerk and cashier, at $2,500 each; deposit weigh clerk and bookkeeper, at $2,000 each; assistant assayer, $2,200; 2 clerks, at $2,000 each; assayer's assistant, $2,000; assistant cashier, $1,800; 2 clerks, at $1,800 each; 4 clerks, at $1,600 each; 2

clerks, at $1,400 each; 1 clerk, $1,200; private secretary, $1,200; in all, $47,200.

For wages of workmen and other employees, $94,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining department and coining department, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coin, $35,000.

Mint at Philadelphia: Superintendent, $4,500; engraver, $4,000; assayer, $3,000; superintendent melting and refining department, $3,000; superintendent coining department, $2,500; chief clerk, $2,500; assistant assayer, $2,200; assistant superintendent of melting and refining department, $2,000; cashier, and bookkeeper, at $2,500 each; 1 clerk, and deposit weigh clerk, at $2,000 each; assistant cashier, and curator, at $1,800 each; 2 clerks, at $1,700 each; 8 clerks, at $1,600 each; 1 clerk, $1,500; 6 clerks, at $1,400 each; 1 clerk, $1,300; 3 clerks, at $1,200 each (including one formerly paid from "parting and refining"); 5 clerks, at $1,000 each; 1 clerk, $900; in all, $73,200.

For wages of workmen, and other employees, $305,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in melting and refining and in coining departments, and loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, $70,000.

Assay office at New York: Superintendent, $5,000; assayer, $3,000; superintendent of melting and refining department, $3,000; chief clerk, cashier, deposit weigh clerk, and assistant assayer, at $2,500 each; 2 clerks, and assayer's assistant, at $2,000 each; bookkeeper, $2,350; assistant cashier and 4 clerks, at $1,800 each; 1 clerk (formerly paid from "parting and refining"), $1,600; 1 clerk, $1,500; private secretary, $1,400; 1 clerk, $1,250; 7 clerks, at $1,000 each; in all, $51,100.

For wages of workmen and other employees, $80,000.

For incidental and contingent expenses, including new machinery and repairs, wastage in the melting department, and loss on sale of sweeps arising from the treatment of bullion, $60,000.

GOVERNMENT IN THE TERRITORIES.

District of Alaska: Governor, $7,000; 4 judges, at $7,500 each; 4 attorneys, at $5,000 each; 4 marshals, at $4,000 each; 4 clerks, at $3,500 each; in all, $87,000.

For incidental and contingent expenses, clerk hire, not to exceed $2,250; janitor service, not to exceed $900; traveling expenses of the governor while absent from Juneau on official business, rent of offices and quarters in Juneau, stationery, lights, and fuel, to be expended under the direction of the governor, $7,150.

Territory of Hawaii: Governor, $7,000; secretary, $4,000; chief justice, $6,000; 2 associate justices, at $5,500 each; in all, $28,000.

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year ending June 30, 1913.

For contingent expenses of the Territory of Hawaii, to be expended by the governor for stationery, postage, and incidentals, $1,000, and for private secretary to the governor, $2,000; in all, $3,000.

For legislative expenses, namely: Furniture, light, telephone, stationery, record casings and files, printing and binding, indexing records, postage, ice, water, clerk hire, mileage of members, and incidentals, pay of chaplain, clerk, sergeant at arms, stenographers, typewriters, janitors, and messengers, $30,000: *Provided*, That the members of the Legislature of the Territory of Hawaii shall not draw their compensation of $200 or any mileage for an extra session, held in compliance with section 54 of an act to provide a government for the Territory of Hawaii, approved April 30, 1900.

WAR DEPARTMENT.

During the fiscal year 1913 no vacancy occurring in the classified service of the War Department herein provided for shall be filled except by promotion or demotion from among those within said service, until the whole number of those herein authorized in said classified service of the department shall have been reduced not less than 5 per cent. And the salaries or compensation of all places herein provided for that may be embraced within such reduction shall not be available for expenditure, but shall lapse and be covered into the Treasury.

Office of the Secretary: Secretary of War, $12,000; Assistant Secretary, $5,000; assistant and chief clerk, $4,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $2,000; stenographer to the Secretary, $2,000; clerk to the Assistant Secretary, $2,400; assistant chief clerk, $2,400; disbursing clerk, $2,750; appointment clerk, $2,250; 4 chiefs of division, at $2,000 each; superintendent of buildings outside of State, War, and Navy Department Building, in addition to compensation as chief of division, $500; chief telegrapher, $1,800; clerks—4 of class 4, 5 of class 3, 15 of class 2, 19 of class 1, 6 at $1,000 each, 1 at $900; foreman, $1,200; carpenter, $1,200; chief messenger, $1,000; carpenter, $900; skilled laborer, $900; 6 messengers; 7 assistant messengers; telephone switchboard operator; assistant telephone switchboard operator; 2 messenger boys, at $360 each; engineer $900; assistant engineer, $720; fireman; 4 watchmen; 5 watchmen, at $660 each; 8 laborers; 2 laborers, at $540 each; hostler, $600; 2 hostlers and 1 watchman, at $540 each; elevator conductors—1 at $600, 1 at $540; 4 charwomen; in all, $149,820.

Adjutant General's Office: Chief clerk, $2,000; 10 chiefs of division, at $2,000 each; clerks—48 of class 4, 64 of class 3, 94 of class 2, 232 of class 1, 88 at $1,000 each; engineer, $1,400; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; 10 messengers; 58 assistant messengers; messenger boy, $360; 8 watchmen; superintendent of building, $250; and 18 laborers; in all, $781,950; all employees provided for by this paragraph for the Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1913.

Office of the Inspector General: Clerks—1 of class 4, 2 of class 3, 3 of class 2, 1 of class 1; messenger; assistant messenger; and messenger, $600; in all, $12,560.

Office of the Judge Advocate General: Chief clerk and solicitor, $2,500; law clerks—1 at $2,400, 1 at $2,000; clerks—1 of class 4, 2 of class 3, 3 of class 2, 6 of class 1; copyist; 2 messengers; assistant messenger; in all, $26,600.

Signal Office: Chief clerk, $2,000; clerks—2 of class 4, 1 of class 3, 1 of class 2, 4 of class 1, 10 at $1,000 each; 2 messengers; assistant messenger; in all, $25,800.

The services of skilled draftsmen and such other services as the Secretary of War may deem necessary may be employed only in the Signal Office to carry into effect the various appropriations for fortifications and other works of defense and for the Signal Service of the Army, to be paid from such appropriations, in addition to the foregoing employees appropriated for in the Signal Office: *Provided*, That the entire expenditures for this purpose for the fiscal year ending June 30, 1913, shall not exceed $25,000, and that the Secretary of War shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid to each.

The services of one wireless engineer and one wireless assistant, as the Secretary of War may deem necessary, may be employed only in the Signal Office to carry into effect the appropriation for the Signal Service of the Army, to be paid from such appropriation, in addition to the foregoing employees appropriated for in the Signal Office: *Provided*, That the entire expenditures for this purpose for the fiscal year ending June 30, 1913, shall not exceed $3,600, and that the Secretary of War shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of the Quartermaster General: Chief clerk, $2,500; 2 chiefs of division, at $2,000 each; clerks—9 of class 4, 14 of class 3, 27 of class 2, 58 of class 1, 40 at $1,000 each, 13 at $900 each; advisory architect, $4,000; experienced builder and mechanic, $2,500; inspector of supplies, $2,500; draftsmen—3 at $1,800 each, 7 at $1,600 each, 5 at $1,400 each, 1 at $1,200; supervising engineer, $2,750; 2 civil engineers, at $1,800 each; assistant civil engineer, $1,200; electrical engineer, $2,000; electrical and mechanical engineer, $2,000; marine engineer, $3,500; assistant marine engineer, $1,800; sanitary and heating engineer, $1,800; blue-print operator, $900; 4 messengers; 11 assistant messengers; 2 assistant messengers, at $600 each; female messenger, $480; 7 laborers; laborer, $480; in all, $275,610.

Office of the Commissary General: Chief clerk, $2,000; clerks—6 of class 4, 8 of class 3, 8 of class 2, 18 of class 1, 13 at $1,000 each; 4 at $900 each; messenger; 2 assistant messengers; laborer; in all, $77,940.

Office of the Surgeon General: Chief clerk, $2,000; law clerk, $2,000; clerks—13 of class 4, 11 of class 3, 26 of class 2, 32 of class 1, 10 at $1,000 each, 3 at $900 each; anatomist, $1,600; engineer, $1,400; 3 firemen; skilled mechanic, $1,000; 2 messengers; 10 assistant messengers; 3 watchmen; superintendent of building (Army Medical Museum and Library), $250; 6 laborers; chemist, $2,088; assistant chemist, $1,500; principal assistant librarian, $2,250; pathologist, $1,800; microscopist, $1,800; assistant librarian, $1,800; 4 charwomen; in all, $166,108.

Office of the Paymaster General: Chief clerk, $2,250; clerks—6 of class 4, 7 of class 3, 12 of class 2, 11 of class 1, 5 at $1,000 each, 9 at $900 each; messenger; assistant messenger; 4 laborers; laborer, $600; in all, $72,150.

Office of the Chief of Ordnance: Chief clerk, $2,000; chief of division, $2,000; clerks—5 of class 4, 7 of class 3, 12 of class 2, 28 of class 1, 9 at $1,000 each; 4 at $900 each; 2 messengers; assistant messenger; messenger, $780; messenger, $720; laborer; in all, $91,760.

The services of skilled draftsmen and such other services, not clerical, as the Secretary of War may deem necessary, may be employed in the office of the Chief of Ordnance to carry into effect the various appropriations for the armament of fortifications and for the arming and equipping of the Organized Militia, to be paid from such appropriations, in addition to the amount specifically appropriated for draftsmen in the Army Ordnance Bureau: *Provided*, That the entire expenditures for this purpose for the fiscal year ending June 30, 1913, shall not exceed $45,000, and that the Secretary of War shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid each.

Office of the Chief of Engineers: Chief clerk, $2,000; 2 chiefs of division, at $2,000 each; clerks—8 of class 4, 11 of class 3, 13 of class 2, 16 of class 1, 10 at $1,000 each; 11 at $900 each; 6 messengers; 3 assistant messengers; and 2 laborers; in all, $103,820.

And the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary, may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors, fortifications, and surveys, to be paid from such appropriations: *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $42,000; and that the Secretary of War shall each year in the annual estimates report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of the Bureau of Insular Affairs: Law officer, $4,500; chief clerk, $2,000; clerks—10 of class 4, 3 of class 3, 10 of class 2, 19 of class 1, 18 at $1,000 each; 3 messengers; 2 assistant messengers; 5 laborers; 2 charwomen; in all, $91,840.

Division of Militia Affairs, Office of the Chief of Staff: For the following now authorized by section 20 of the act approved January 21, 1903, as amended by the act approved May 27, 1908, namely: Chief clerk, $2,000; clerks—2 of class 4, 2 of class 3, 3 of class 2, 9 of class 1, 7 at $1,000 each; messenger; 1 assistant messenger; 2 laborers; 2 charwomen; in all, $34,160.

For rent of quarters, $2,500.

For miscellaneous expenses of the Division of Militia Affairs, including stationery, fuel, light, furniture, telegraph and telephone service, and necessary printing and binding, $3,500, which sum, together with the foregoing amounts for salaries and rent, shall be paid from the permanent appropriation for militia under the provisions of section 1661, Revised Statutes, as amended, and no other or further sums shall be expended from said appropriation for or on account of said Division of Militia Affairs during the fiscal year 1913.

Contingent expenses of the War Department: For purchase of professional and scientific books, law books, including their exchange; books of reference, blank books, pamphlets, periodicals, newspapers (subscriptions to periodicals may be paid for in advance), maps; typewriters and adding machines, including their exchange; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soaps, sponges, fuel, gas, and heating apparatus for and repairs to the building (outside of the State, War, and Navy Department Building) occupied by Adjutant General's office, the Bureau of Insular Affairs, and the other offices of the War Department and its bureaus located in the Lemon Building; expenses of horses and vehicles, including their exchange, to be used only for official purposes; freight and express charges; street car tickets, not exceeding $300; temporary labor not to exceed $1,000, and other absolutely necessary expenses, $48,000.

For stationery for the War Department and its bureaus and offices, $25,000.

For postage stamps for the War Department and its bureaus, as required under the Postal Union, to prepay postage on matters addressed to Postal Union countries, $500.

For rent of buildings in the District of Columbia for use of the War Department, as follows: Medical dispensary, Surgeon General's Office, $1,000; War Department, $7,200; Adjutant General's Office, $2,300; Bureau of Insular Affairs, $2,220; in all, $12,720.

PUBLIC BUILDINGS AND GROUNDS.

Office of Public Buildings and Grounds: Superintendent, $3,000; assistant and chief clerk, $2,400; clerks—1 of class 4, 1 of class 3,

1 of class 2, and stenographer, 1 of class 1; messenger; landscape architect, $2,400; surveyor and draftsman, $1,500; in all, $16,140.

For foremen, gardeners, mechanics, and laborers employed in the public grounds, $31,200.

For 1 sergeant of park watchmen, $950.

For second sergeant of park watchmen, $900.

For day watchmen, as follows: One in Franklin Park and adjacent reservations on New York Avenue; 1 in Lafayette Park; 2 in Smithsonian Grounds and neighboring reservations; 1 in Judiciary Park; 1 in Lincoln Park and adjacent reservations; 1 in Iowa Circle and reservations to the northeast; 1 in Thomas and Scott Circles and neighboring reservations; 1 in Washington Circle and neighboring reservations; 1 in Dupont Circle and neighboring reservations; 1 in McPherson Park and Farragut Square; 1 in Stanton Park and neighboring reservations; 2 in Henry and Seaton Parks and neighboring reservations; 1 in Mount Vernon Park and reservations to the northeast; 1 in grounds south of the Executive Mansion; 1 in Garfield and Marion Parks and reservations to the east; 1 in Monument Park; and 3 in Potomac Park; 21 in all, at $720 each, $15,120.

For night watchmen, as follows: Two in Smithsonian Grounds and neighboring reservations; 1 in Judiciary Park; 2 in Henry and Seaton Parks and adjacent reservations; 1 in grounds south of the Executive Mansion; 1 in Monument Park; 1 in Garfield Park and neighboring reservations; 1 in Iowa, Scott, and Thomas Circles and neighboring reservations; 1 in Stanton and Lincoln Parks and neighboring reservations; 1 in Lafayette and McPherson Squares and Franklin and Farragut Parks; 1 in Washington and Dupont Circles and neighboring reservations; 1 in Mount Vernon Park and neighboring reservations; 2 for greenhouses and nursery; and 4 in Potomac Park; 19 in all, at $720 each, $13,680.

For watchman for the care of the monument and dock at Wakefield, Va., the birthplace of Washington, $300.

For contingent and incidental expenses, including purchase of professional and scientific books and periodicals, books of reference, blank books, photographs, and maps, $700.

For purchase and repair of bicycles and revolvers for park watchmen and for purchase of ammunition, $400.

For purchasing and supplying uniforms to park, Monument, and bridge watchmen, $2,800.

Of the foregoing amounts appropriated under Public Buildings and Grounds, the sum of $32,875 shall be paid out of the revenues of the District of Columbia.

STATE, WAR, AND NAVY DEPARTMENT BUILDING.

Office of the Superintendent: Clerk of class 3; stenographer and typewriter, $900; chief engineer, $1,400; 5 assistant engineers, at $1,000 each; electrical machinist, $1,200; captain of the watch, $1,200; 2 lieutenants of the watch, at $840 each; 49 watchmen; carpenter, $1,000; electrician, $1,200; machinist, painter, and plumber, at $1,000 each; 3 dynamo tenders, at $900 each; 7 skilled laborers or mechanics, at $840 each; messenger; foreman of laborers, $840; 10 firemen; 11 conductors of elevators, at $720 each; 17 laborers; 3 second-class firemen, at $660 each; 4 forewomen of charwomen, at $300 each; 77 charwomen; gardener, $720; in all, $112,440.

For fuel, lights, repairs, and miscellaneous items, and city directories, $32,000.

Navy Department Annex, Mills Building: Engineer, $1,200; 4 firemen; 2 elevator conductors, at $720 each; 5 watchmen; 4 laborers; 1 forewoman, $300; 9 charwomen; in all, $14,220.

For repairs, supplies, and miscellaneous articles, Mills Building (Navy Department Annex), $2,000.

For purchase and installation of one 300-kilowatt electric generator and appurtenances, in main building, $14,000.

State Department Annex: Laborer, $660.

NAVY DEPARTMENT.

Office of the Secretary: Secretary of the Navy, $12,000; Assistant Secretary of the Navy, $5,000; chief clerk, $3,000; private secretary to Secretary, $2,500; clerk to Secretary, $2,250; clerk to Assistant Secretary, $2,000; disbursing clerk, $2,250; stenographer, $1,800; clerks—4 of class 4, 2 of class 3, 4 of class 2, five of class 1, 1 at $1,100, 4 at $1,000 each; stenographer, $1,200; telegraph operator, $1,100; 2 copyists; carpenter, $900; 4 messengers; 4 assistant messengers; 3 laborers; 3 messenger boys, at $600 each; messenger boy, $420; messenger boy, $400; telephone switchboard operator; assistant telephone switchboard operator; in all, $75,060.

Office of the Solicitor: Solicitor, $4,000; law clerks—1 at $2,500, 1 at $2,250; 1 at $2,000; clerks—1 of class 4, 1 of class 3, 1 of class 2, 1 at $840; messenger, $600; in all, $16,990.

Library of the Navy Department: Clerk of class 2; clerk of class 1; assistant messenger; 1 laborer; in all, $3,980.

Office of Naval Records of the Rebellion: Chief clerk, $2,000; agent, to be selected by the Secretary of the Navy from the officers of the late Confederate navy, $1,800; clerks—1 of class 3 (indexer), 3 of class 2, 3 of class 1, 2 at $1,000 each; copyist; copyist, $720; assistant messenger; necessary traveling expenses for collection of records, $100; in all, $17,640; all employees provided for by this paragraph shall be exclusively engaged on the work of this office during the fiscal year 1913.

For continuing the publication of an edition of 11,000 copies of the Official Records of the Union and Confederate Navies in the War of the Rebellion, in accordance with the plan approved by the Secretary of the Navy under the act of Congress approved July 31, 1894, and for the purpose of making such maps and illustrations as relate to the work, $21,000.

Judge Advocate General, United States Navy: Law clerk, $2,200; clerks—1 of class 4, 1 at $1,300; 2 of class 1, 3 at $1,000 each, 1 at $900; assistant messenger; in all, $12,320.

Bureau of Navigation: Chief clerk, $2,000; clerks—1 at $2,000; 4 of class 4, 5 of class 3, 5 of class 2, 8 of class 1, 3 at $1,100 each, 14 at $1,000 each; 14 copyists; 9 copyists, at $840 each; 2 assistant messengers; messenger boy, $600; 5 laborers; in all, $78,600.

Office of Naval Intelligence: Clerk of class 4; clerks—1 of class 2, 1 at $1,300; 3 at $1,000 each; 2 translators, at $1,400 each; assistant draftsman, $1,200; messenger boy, $600; in all, $12,100.

Bureau of Equipment: Chief clerk, $2,000; expert in wireless telegraphy, $3,000; draftsman, who shall be an expert in marine construction, $2,000; bookkeeper and accountant, $1,800; 1 draftsman, $1,700; electrical expert and draftsman, $1,600; clerks—1 of class 4, 2 of class 3, 1 of class 2, 1 at $1,300, 2 of class 1, 4 at $1,000 each; draftsman for work in connection with depots for coal, $1,200; 2 copyists; assistant messenger; messenger boy, $600; blue printer, $600; messenger boy, $360; and two laborers; in all, $32,800.

The services of draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed only in the Bureau of Equipment, and at rates of compensation not exceeding those paid hereunder prior to January 1, 1912, to carry into effect the various appropriations for "Increase of the Navy" and "Equipment of vessels," to be paid from the appropriation "Equipment of vessels": *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $9,500. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the annual estimates.

Hydrographic Office: Hydrographic engineer, $3,000; assistant, $2,200; assistant, $2,000; nautical experts—1 at $1,800, 2 at $1,600 each, 1 at $1,400, 3 at $1,200 each, 3 at $1,000 each; clerks—1 of class 2, 1 of class 1; custodian of archives, $1,200; copyists—3 at $900 each; 1 at $840, 2 at $720 each; compiler, $1,400; editor of Notice to Mariners, $1,800; computer, $1,400; draftsmen—3 at $1,800 each, 4 at $1,600 each, 2 at $1,400 each, 2 at $1,200 each, 5 at $1,000 each, 1 at $900; 3 apprentice draftsmen, at $700 each; chief engraver, $2,000; engravers—2 at $1,800 each, 3 at $1,600 each, 1 at $1,400, 6 at $1,200 each, 2 at $1,000 each, 1 at $720; apprentice engraver, $800; apprentice engraver, $700; plate printers—chief, $1,400, 1 at $1,200, 1 at $1,000, 2 at $900 each, 1 at $800; apprentice plate printers—1 at $700, 1 at $600; chief lithographer, $1,800; 2 lithographers, at $1,000 each; apprentice lithographer, $700; electrotyper and chart plate maker, $1,200; assistant messenger; 4 laborers; helpers—2 at $720 each, 2 at $660 each, 1 at $600, 1 at $500, 1 at $480; in all, $102,700.

Additional employees, for production of charts from metallic plates by photolithographic process: Draftsmen—1 at $1,800, 2 at $1,400 each, 2 at $1,200 each, 5 at $1,000 each; process photographer, $1,600; photographic printer, $1,200; lithographic pressman, $1,400; lithographic transferer, $1,400; 2 negative cutters, at $1,000 each; 2 feeders, at $480 each; in all, $20,560.

For purchase of copperplates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copperplates, cleaning copperplates; tools, instruments, power, and materials for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; care and repairs to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; the preparation of Pilot Charts and their supplements, and the printing and mailing of the same; purchase of data for charts and sailing directions and other nautical publications; works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, $7,000.

Contingent expenses of branch offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oreg.), Portland (Me.), Chicago, Cleveland, Port Townsend, Buffalo, Duluth, Sault Ste. Marie, Panama, and Galveston, including furniture, fuel, lights, works, and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, car fare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for the Pilot Charts, and for other purposes for which the offices were established, $11,000.

For services of necessary employees at branch offices, $17,960.

Additional equipment and supplies for production of charts from metallic plates by photolithographic process:

For purchase of copperplates, steel plates, chart paper, packing boxes, chart portfolios; electrotyping copperplates; cleaning copperplates; tools, instruments, power, and materials for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; care and repairs to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; the preparation of Pilot Charts and their supplements and the printing and mailing of the same; purchase of data for charts and sailing directions and other nautical publications; books of reference, and works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, $19,000.

Lithographic press and attachments, including motors, $6,500.

Additional drafting equipment, $820.

Additional photographic equipment, $3,120.

For a monthly Pilot Chart of the North Pacific Ocean showing graphically the matters of value and interest to the maritime community of the Pacific coast, and particularly the directions and forces of the winds to be expected during the month succeeding the date of issue; the set and strength of the currents; the feeding grounds of whales and seals; the regions of storm, fog, and ice; the positions of derelicts and floating obstructions to navigation; the best routes to be followed by steam and by sail; expenses of communicating and circulating information; lithographing and engraving; the purchase of materials for and printing and mailing the chart, $2,000.

No expenditure shall be incurred or authorized for personal services or otherwise under the Hydrographic Office at Washington, D. C., during the fiscal year 1913 except as herein authorized by appropriations under the Navy Department or under appropriations that may be made for printing and binding.

Naval Observatory: For assistant astronomers—1 at $2,400, 2 at $1,800 each; assistant in department of nautical instruments, $1,600; clerks—1 of class 4, 1 of class 2; instrument maker, $1,500; electrician, $1,500; librarian, $1,400; assistants—3 at $1,600 each, 3 at $1,400 each, 2 at $1,000 each; stenographer and typewriter, $900; foreman and captain of the watch, $1,000; carpenter, and engineer, at $1,000 each; 3 firemen; 6 watchmen; elevator conductor, $720; 9 laborers; in all, $43,240.

For miscellaneous computations, $5,000.

For professional and scientific books, periodicals, engravings, photographs, and fixtures for the library, $750.

For apparatus and instruments, and for repairs of the same, $2,000.

For repairs to buildings, fixtures, and fences, furniture, gas, chemicals, and stationery, freight (including transmission of public documents through the Smithsonian exchange), foreign postage, and expressage, plants, fertilizers, and all contingent expenses, $3,000.

For fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power plant, and water-supply system; purchase and maintenance of teams; material for boxing nautical instruments for transportation; paints, telegraph and telephone service, and incidental labor, $8,000.

Nautical Almanac office: For assistants in preparing for publication the American Ephemeris and Nautical Almanac, namely: One at $2,000, who may act as or be appointed director; 2 at $1,600 each, 2 at $1,400 each, 3 at $1,200 each, 2 at $1,000 each; copyist and typewriter, $900; assistant messenger; and 1 messenger boy, $420; in all, $15,640.

For pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $7,000.

Bureau of Steam Engineering: Chief clerk, $2,000; clerks—1 of class 4, 1 of class 3, 2 of class 2, 1 at $1,300, 3 of class 1, 1 at $1,100, 8 at $1,000 each, 1 at $840; assistant messenger; 2 laborers; 2 laborers, at $600 each; messenger boy, $600; draftsman, $1,400; assistant draftsman, $1,200; stenographers and typewriters—1 at $1,000, 1 at $900; in all, $26,380.

The services of draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed only in the Bureau of Steam Engineering and at rates of compensation not exceeding those paid hereunder prior to January 1, 1912, to carry into effect the various appropriations for "Increase of the Navy" and "Steam machinery," to be paid from the appropriation "Steam machinery": *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $33,700. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the annual estimates.

Bureau of Construction and Repair: Chief clerk, $2,000; clerks—2 of class 4, 2 of class 3, 3 of class 2, 3 at $1,300 each, 3 of class 1, 9 at $1,100 each, 15 at $1,000 each; 5 copyists; 2 assistant messengers; laborer; messenger boys—9 at $600 each, 1 at $400; in all, $57,800.

The services of draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed only in the Bureau of Construction and Repair and at rates of compensation not exceeding those paid hereunder prior to January 1, 1912, to carry into effect the various appropriations for "Increase of the Navy" and "Construction and repair," to be paid from the appropriation "Construction and repair": *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $88,300. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the annual estimates.

Bureau of Ordnance: Chief clerk, $2,000; ordnance engineer, mechanical draftsman, and computer, $3,000; draftsman, $1,800; assistant draftsman, $1,400; clerks—2 of class 3, 2 of class 2, 1 at $1,300, 3 of class 1, 1 at $1,100, 5 at $1,000 each; 3 copyists; 2 copyists at $840 each; assistant messenger; messenger boys—2 at $600 each, 2 at $400 each; laborer; in all, $32,960.

The services of clerks, draftsmen, and such other technical services as the Secretary of the Navy may deem necessary may be employed only in the Bureau of Ordnance, and at rates of compensation not exceeding those paid hereunder prior to January 1, 1912, to carry into effect the various appropriations for "Increase of the Navy" and "Ordnance and ordnance stores" to be paid from the appropriation "Ordnance and ordnance stores": *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $12,800. A statement of the persons employed hereunder, their duties, and the compensation paid to each shall be made to Congress each year in the annual estimates.

Bureau of Supplies and Accounts: Civilian assistant, $2,500; 2 chief bookkeepers, at $2,000 each; clerks—4 of class 4, 8 of class 3, 7 of class 2, 15 of class 1, 16 at $1,100 each, 28 at $1,000 each, 12 at $900 each; 2 copyists, at $840 each; 5 assistant messengers; messenger boys—1 at $600, 3 at $400 each; laborer; 2 laborers, at $600 each; in all, $113,040.

Bureau of Medicine and Surgery: Chief clerk, $2,000; clerks—2 of class 4, 1 of class 3, 1 of class 2, 1 of class 1, 2 at $1,100 each, 3 at $1,000 each; copyist, $840; assistant messenger; laborer; driver for naval dispensary, $600; and laborer for naval dispensary, $480; in all, $18,300.

Bureau of Yards and Docks: Chief clerk, $2,000; draftsman and clerk, $1,800; clerks—1 of class 3, 1 of class 2, 2 of class 1, 1 at $1,100, 6 at $1,000 each; assistant messenger; 3 messenger boys, at $600 each; and two laborers; in all, $20,140.

The services of skilled draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed only in the Bureau of Yards and Docks to carry into effect the various appropriations and allotments thereunder and be paid from such appropriations and allotments: *Provided*, That the expenditures on this account for the fiscal year 1913 shall not exceed $50,000. A statement of the persons employed hereunder, their duties, and the compensation paid to each, shall be made to Congress each year in the annual estimates.

Naval Militia Office: For the following, now authorized and being paid from the appropriation for "Arming and equipping Naval Militia," namely, chief clerk, $1,600; stenographer, $1,200; messenger boy, $600; in all, $3,400, which sum shall be paid from the appropriation for "Arming and equipping Naval Militia" for the fiscal year 1913, and no other or further sums shall be expended from said appropriation for or on account of said Naval Militia office; but all other expenses on account thereof shall be paid out of the appropriation for contingent expenses and for printing and binding for the Navy Department, as in the case of other like expenses of that department.

Contingent expenses, Navy Department: For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books, for department library, $2,000.

For stationery, furniture, newspapers, plans, drawings, drawing materials, horses and wagons to be used only for official purposes, streetcar tickets not exceeding $250, freight, expressage, postage, typewriters and computing machines and exchange of same, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $40,000; it shall not be lawful to expend, for any of the offices or bureaus of the Navy Department at Washington, any sum out of appropriations made for the Naval Establishment for any of the purposes mentioned or authorized in this paragraph.

Toward installing steel fireproof file cases and file boxes required to furnish additional filing space and to replace old wooden file cases and file boxes, $2,500.

For the rental of the Mills Building during the fiscal year 1913, $24,500.

No part of any appropriations made for the naval service shall be expended for any of the purposes herein provided for on account of the Navy Department at Washington, D. C., except for personal services in certain bureaus, as herein expressly authorized.

DEPARTMENT OF THE INTERIOR.

Office of the Secretary: For compensation of the Secretary of the Interior, $12,000; First Assistant Secretary, $5,000; Assistant Secretary, $4,500; chief clerk, including $500 as superintendent of buildings, who shall be chief executive officer of the department and who may be designated by the Secretary of the Interior to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the department, $4,000; assistant to the Secretary, $2,750; assistant attorney, $2,500; 2 special inspectors, whose employment shall be limited to the inspection of offices and the work in the several offices under the control of the Department of the Interior, at $2,500 each; 6 inspectors, at $2,500 each; chief disbursing clerk, $2,250; clerk in charge of supplies, $2,250; clerk in charge of mails, files, and archives, $2,250; clerk in charge of publications, $2,250; private secretary to the Secretary of the Interior, $2,500; clerks—4 at $2,000 each, 13 of class 4, 18 of class 3, 21 of class 2, 24 of class 1, 3 at $1,000 each; returns office clerk, $1,600; female clerk, to be designated by the President, to sign land patents, $1,200; 8 copyists; multigraph operator, $900; assistant multigraph operator, $720; typewriter repairer, $900; 2 telephone switchboard operators; 9 messengers; 7 assistant mesengers; 21 laborers; skilled mechanics—1 at $900 and 1 at $720; 2 carpenters, at $900 each; plumber, $900; electrician, $1,000; laborer, $600; 6 laborers, at $480 each; packer, $660; 2 conductors of elevator, at $720 each; 8 charwomen; captain of the watch, $1,200; 40 watchmen; additional to 2 watchmen acting as lieutenants of watchmen, at $120 each; engineer, $1,200; assistant engineer, $1,000; 7 firemen; clerk to sign, under the direction of the Secretary, in his name and for him, his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, $1,200; in all, $275,570.

For employees, for the proper protection, heating, care, and preservation of the old Post Office Department Building, occupied by the Department of the Interior, namely: Engineer and electrician, $1,600; assistant engineer, $1,000; 4 firemen; 3 watchmen, acting as lieutenants, at $840 each; 20 watchmen; conductor of elevator, $720; 14 laborers; 9 laborers, at $480 each; 3 skilled mechanics (painter, carpenter, and plumber), at $900 each; in all, $39,380.

Office of Assistant Attorney General: Asssistant attorneys—1 at $3,000, 2 at $2,750 each, 4 at $2,500 each, 7 at $2,250 each, 11 at $2,000 each; medical expert, $2,000; 4 clerks of class 3, 1 of whom shall act as stenographer and 1 of whom shall be a stenographer and typewriter; clerk of class 1; in all, $65,850.

For per diem in lieu of subsistence of 2 special inspectors, Department of the Interior, while traveling on duty, at a rate to be fixed by the Secretary of the Interior, not exceeding $4 per day, and for actual necessary expenses of transportation (including temporary employment of stenographers, typewriters, and other assistance outside of the District of Columbia, and for incidental expenditures necessary to the efficient conduct of examinations), to be expended under the direction of the Secretary of the Interior, $4,500.

For traveling expenses of 6 inspectors, at $4 per day, when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and for incidental expenses of negotiation, inspection, and investigation, including telegraphing and expenses to and going from the seat of government and while remaining there under orders and direction of the Secretary of the Interior, for a period not to exceed 20 days, $9,600.

General Land Office: Commissioner of the General Land Office, $5,000; assistant commissioner, $3,500; chief clerk, $2,750; chief law clerk, $2,500; 2 law clerks, at $2,200 each; 3 law examiners of surveyors general and district land offices, at $2,000 each; recorder, $2,000; chiefs of division—2 at $2,400 each, 10 at $2,000 each; assistant chief of division, $2,000; law examiners—13 at $2,000 each, 10 at $1,800 each, 18 at $1,600 each; clerks—27 of class 4, 51 of class 3, 74 of class 2, 77 of class 1, 65 at $1,000 each; 65 copyists; 26 copyists, at $720 each; 2 messengers; 10 assistant messengers; messenger boys—10 at $600 each, 6 at $480 each; 6 skilled laborers, who may act as assistant messengers when required, at $660 each; 16 laborers; laborer, $480; packer, $720; depositary acting for the commissioner as receiver of public moneys, $2,000; clerk and librarian, $1,000; in all, $630,650.

For per diem in lieu of subsistence of examiners and of clerks detailed to inspect offices of United States surveyors general and other offices in surveying service, to investigate fraudulent land entries, trespasses on the public lands, and cases of official misconduct, while traveling on duty, at a rate to be fixed by the Secretary of the Interior, not exceeding $4 per day, and for actual necessary expenses of transportation, including necessary sleeping-car fares, and for employment of stenographers and other assistants when necessary to the efficient conduct of examinations, and when authorized by the Commissioner of the General Land Office, $8,500.

For law books for the law library of the General Land Office, $400.

For connected and separate United States and other maps, prepared in the General Land Office, $20,000: *Provided*, That of the United States maps procured hereunder 7,200 copies shall be delivered to the Senate and 14,400 copies shall be delivered to the House of Representatives, 500 copies shall be delivered to the Commissioner of the General Land Office, and the residue shall be delivered to the Secretary of the Interior for distribution. And all maps delivered to the Senate and House of Representatives hereunder shall be mounted with rollers ready for use.

For separate State and Territorial maps, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead acts, prepared in the General Land Office, $3,300.

For appliances in connection with filing system in the General Land Office, $3,000.

Indian Office: Commissioner of Indian Affairs, $5,000; assistant commissioner, $3,500; second assistant commissioner, who shall also perform the duties of chief clerk, $2,250; financial clerk, $2,250; chiefs of division—1 at $2,250, 1 at $2,000; law clerk, $2,000; assistant chief of division, $2,000; private secretary, $1,800; clerks—14 of class 4, 25 of class 3, 24 of class 2, 2 at $1,500 each, 43 of class 1, 23 at $1,000 each; stenographer, $1,000; 29 copyists; messenger; 4 assistant messengers; 4 messenger boys, at $360 each; in all $231,710.

For the fiscal year 1914 and annually thereafter estimates in detail shall be submitted for all personal services required in the Indian Office, and after the end of the fiscal year 1913 it shall not be lawful to employ in said office any personal services other than those specifically appropriated for in the legislative, executive, and judicial appropriation acts, except temporary details of field employees for service connected solely with their respective employments.

Pension Office: Commissioner of Pensions, $5,000; deputy commissioner, $3,600; chief clerk, $2,500; assistant chief clerk, $2,000; medical referee, $3,000; assistant medical referee, $2,250; two qualified surgeons, at $2,000 each; 15 medical examiners, at $1,800 each; 8 chiefs of division, at $2,000 each; law clerk, $2,250; chief of board of review, $2,250; 57 principal examiners, at $2,000 each; private secretary, to be selected and appointed by the Commissioner of Pensions,

$2,000; 16 assistant chiefs of division, at $1,800 each; 3 stenographers, as $1,600 each; clerks—95 of class 4, 100 of class 3, 275 of class 2, 295 of class 1, 65, at $1,000 each; 30 copyists; 27 messengers; 12 assistant messengers; 17 skilled laborers, at $660 each; 20 messenger boys, at $400 each; superintendent of building, $1,400; 23 laborers; 10 female laborers, at $400 each; 15 charwomen; 1 painter, and 1 cabinetmaker, skilled in their trades, at $900 each; captain of the watch, $840; 3 sergeants of the watch, at $750 each; 20 watchmen; for the following under the chief clerk of the Interior Department: Engineer, $1,200; and 2 firemen; in all, $1,478,100.

No transfers from the Pension Office existing July 1, 1912, shall be returned to said office.

For per diem, when absent from home and traveling on duty outside the District of Columbia, for special examiners or other persons employed in the Bureau of Pensions, detailed for the purpose of making special investigations pertaining to said bureau, in lieu of expenses for subsistence, not exceeding $3 per day, and for actual and other necessary expenses, including telegrams, $215,000.

For completing the installation of the card-index system of the records of the Pension Office, $5,000.

For an additional force of 45 special examiners for one year, at $1,300 each, $58,500, and no person so appointed shall be employed in the State from which he is appointed; and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to be qualified.

Patent Office: Commissioner of Patents, $5,000; first assistant commissioner, who shall perform such duties pertaining to the office of commissioner as may be assigned to him by the commissioner, $4,500; assistant commissioner, who shall perform such duties pertaining to the office of commissioner as may be assigned to him by the commissioner, $3,500; chief clerk, who shall be qualified to act as principal examiner, $3,000; 2 law examiners, at $2,750 each; 3 examiners in chief, at $3,500 each; examiner of interferences, $2,700; examiner of trade-marks and designs, $2,700; 6 assistant examiners of trade-marks and designs, at $1,500 each; examiner of classification, $3,600; 43 principal examiners, at $2,700 each; 63 first assistant examiners, at $2,400 each; 73 second assistant examiners, at $2,100 each; 88 third assistant examiners, at $1,800 each; 110 fourth assistant examiners, at $1,500 each; financial clerk, who shall give bonds in such amount as the Secretary of the Interior may determine, $2,250; librarian, $2,000; 6 chiefs of division, at $2,000 each; 3 assistant chiefs of division, at $1,800 each; private secretary, to be selected and appointed by the Commissioner of Patents, $1,800; translator of languages, $1,800; clerks—9 of class 4, 9 of class 3, 17 of class 2, 130 of class 1, 90 at $1,000 each; 3 skilled draftsmen, at $1,200 each; 4 draftsmen, at $1,000 each; messenger and property clerk, $1,000; 90 copyists; 50 copyists, at $720 each; 4 messengers; 25 assistant messengers; 14 laborers, at $600 each; 45 laborers, at $480 each; 40 messenger boys, at $360 each; in all, $1,311,010.

For purchase of professional and scientific books and expense of transporting publications of patents issued by the Patent Office to foreign governments, $2,500.

For purchase of law and other reference books, $500.

For producing copies of the weekly issue of patents, designs, and trade-marks; for the reproduction of copies of drawings and specifications of exhausted patents and other papers, $140,000.

For investigating the question of the public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents as may be deemed necessary by the Commissioner of Patents; and for expense attending defense of suits instituted against the Commissioner of Patents, $500.

For the share of the United States in the expense of conducting the International Bureau at Berne, Switzerland, $750.

Bureau of Education: Commissioner of Education, $5,000; chief clerk, $2,000; specialist in higher education, $3,000; for the investigation of rural education, industrial education, and school hygiene, including salaries, $15,000; editor, $2,000; statistician, $1,800; specialists in charge of land-grant college statistics, $1,800; translator, $1,800; collector and compiler of statistics, $2,400; specialists—1 in foreign educational systems, and 1 in educational systems, at $1,800 each; clerks—2 of class 4, 3 of class 3, 4 of class 2, 8 of class 1, 7 at $1,000 each; 6 copyists; 2 copyists, at $800 each; copyist, $720; 2 skilled laborers, at $840 each; messenger; 1 assistant messenger; 3 laborers, at $480 each; laborer, $400; in all, $81,800.

For books for library, current educational periodicals, other current publications, and completing valuable sets of periodicals, including payment in advance for subscriptions to publications, $500.

For collecting statistics for special reports and circulars of information, $4,000.

For the purchase, distribution, and exchange of educational documents, and for the collection, exchange, and cataloguing of educational apparatus and appliances, textbooks, and educational reference books, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and for repairing the same, $2,500.

Office of the Superintendent of the Capitol Building and Grounds: Superintendent of the Capitol Building and Grounds, $6,000; chief clerk, $2,000; chief electrical engineer, $3,000; civil engineer, $2,400; 2 draftsmen, at $1,200 each; clerk, $1,600; stenographer and typewriter, $1,000; compensation to disbursing clerk, $1,000; messenger; person in charge of the heating of the Supreme Court and central portion of the Capitol, $1,000; laborer in charge of water-closets in central portion of the Capitol, $660; 7 laborers for cleaning Rotunda, corridors, Dome, and old library portion of Capitol, at $660 each; 2 laborers in charge of public closets of the House of Representatives and in the terrace, at $720 each; bookkeeper and accountant, $1,800; and 1 stenographer, at $720; in all, $30,480.

Contingent expenses, Department of the Interior: The following sums, which shall be so apportioned as to prevent deficiencies therein, namely: For contingent expenses of the office of the Secretary of the Interior and the bureaus, offices, and buildings of the Interior Department, including $7,500 for the Civil Service Commission: For furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, street-car tickets not exceeding $250, expressage, wagons and harness, motor trucks, motor cycles, and bicycles, maintenance and exchange of same, food, forage, and shoeing of horses, diagrams, awnings, filing and labor-saving devices, constructing model and other cases and furniture, and other necessary expenses not hereinbefore provided for, including traveling expenses, fuel and lights, typewriting and adding machines and exchange of same, $122,000.

For stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department of the Interior and its several bureaus and offices, including not to exceed $5,000 for the Civil Service Commission, $69,500; and, in addition thereto, sums amounting to $44,400 shall be deducted from other appropriations made for the fiscal year 1913, as follows: Contingent expenses of pension agencies, $18,000; protecting public lands and timber, $2,000; contingent expenses of offices of surveyors general, $2,600; Capitol Building and repairs, $300; Geological Survey, $2,100; Bureau of Mines, $1,200; Indian warehouses, $500; Five Civilized Tribes of Indians, $1,000; Indian schools, $17,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $69,500, the total appropriation for stationery for the Department of the Interior and its several bureaus and offices for the fiscal year 1913.

For professional and scientific books, law books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the department, $1,000, of which sum $250 may be used for the Civil Service Commission.

For rent of buildings for the Department of the Interior, namely: For Geological Survey, $29,200; additional rooms for the engraving and printing divisions of the Geological Survey, $1,200; rent of additional rooms for the Geological Survey, $2,500; Civil Service Commission, $16,875; in all, $49,775.

For rent of basement of the addition to the main building of the Geological Survey, required for additional storage of documents, maps, etc., and for workroom, $1,500.

For rent of additional office accommodations for the Geological Survey in the main building of the survey, Washington, D. C. (formerly occupied by the Reclamation Service), $3,000.

For rent of building for the Bureau of Mines, $10,000.

For postage stamps for the Department of the Interior and its bureaus, as required under the Postal Union, to prepay postage on matter addressed to Postal Union countries, $3,500.

SURVEYORS GENERAL AND THEIR CLERKS.

For surveyor general and ex officio secretary of the District of Alaska, $4,000; clerks in his office, $7,000; in all, $11,000.

For rent of offices for surveyor general, pay of messenger, stationery, printing, binding, drafting instruments, typewriters, books of reference for office use, furniture, fuel, lights, and other incidental expenses, including the exchange of typewriters, $2,500.

For surveyor general of Arizona, $3,000; and for the clerks in his office, $13,000; in all, $16,000.

For rent of office for the surveyor general, stationery, binding records, books of reference for office use, typewriter and repairs, repairs of furniture, freight and drayage, filing cases, drafting supplies and tables, and other incidental expenses, including the exchange of typewriters, $1,800.

For surveyor general of California, $3,000; and for the clerks in his office, $11,400; in all, $14,400.

For pay of messenger, stationery, binding records, repairing maps, repairs to locks, clocks, furniture, batteries, and typewriter, towels, telephone, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,500.

For surveyor general of the State of Colorado, $3,000; and for the clerks of his office, $22,000; in all, $25,000.

For rent of office for the surveyor general, pay of messenger, stationery, printing and binding, furniture and repairs, muslin for mounting plats, drafting instruments, record books, indexing volumes of letters, ice, telephone, post-office box rent and register stamps, books of reference for office use, typewriter, and other incidental expenses, including the exchange of typewriters, $4,000.

For surveyor general of Idaho, $3,000; and for the clerks in his office, $16,000; in all, $19,000.

For pay of messenger, stationery, binding, printing, drafting instruments, post-office box rent, furniture, typewriters, ice, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,500.

For surveyor general of Montana, $3,000; and for the clerks in his office, $20,000; in all $23,000.

For pay of messenger, lights, post-office box rent, ice, stationery, printing, binding, furniture, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,500.

For surveyor general of Nevada, $3,000; and for the clerks in his office, $8,000; in all, $11,000.

For stationery and drawing materials, post-office box rent, registering letters, telephone, ice, repair of furniture, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,000.

For surveyor general of New Mexico, $3,000; and for clerks in his office, $15,500; in all, $18,500.

For pay of messenger, stationery, printing, drafting instruments, plats, drawing paper, binding records, telephone, registration of letters, post-office box rent, drayage, towels, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,500.

For surveyor general of Oregon, $3,000; and for the clerks in his office, $13,000; in all, $16,000.

For stationery, telephone, towels, binding, post-office box rent, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $900.

For surveyor general of South Dakota, $2,000.

For the clerks in his office, $4,000.

For rent of office for the surveyor general, pay of messenger, stationery supplies, drafting instruments, fuel, ice, binding records, post-office box rent, telegrams, registration of letters, towels, furniture and typewriter repairs, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $800.

For surveyor general of Utah, $3,000; and for the clerks in his office, $14,000; in all, $17,000.

For pay of janitor, stationery, plats and supplies, printing and binding, drawing tables, drafting instruments, post-office box rent, typewriters, drayage, towels, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,000.

For surveyor general of Washington, $3,000; and for the clerks in his office, $11,000; in all, $14,000.

For rent of office for the surveyor general, pay of janitor, furniture and repairs, stationery, binding records, books, blanks, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,500.

For surveyor general of Wyoming, $3,000; and for the clerks in his office, $17,000; in all, $20,000.

For pay of messenger, stationery, and supplies, lights, printing, binding, books, post-office box rent, drafting instruments, mounting maps, ice, towels, furniture and repairs, books of reference for office use, and other incidental expenses, including the exchange of typewriters, $1,200.

That no expenses chargeable to the foregoing appropriations for clerk hire and incidental expenses in the offices of the surveyors general

shall be incurred by the respective surveyors general in the conduct of said offices, except upon previous specific authorization by the Commissioner of the General Land Office.

POST OFFICE DEPARTMENT.

Office Postmaster General: For Postmaster General, $12,000; chief clerk, Post Office Department, including $500 as superintendent of Post Office Department buildings, $4,000; private secretary, $2,500; disbursing clerk, $2,250; bookkeeper and accountant, $1,800; 2 stenographers, at $1,600 each; appointment clerk, $2,000; clerk, assistant to chief clerk, $2,000; clerks—2 of class 4, 5 of class 3, including assistant printing clerk, 6 of class 2, 3 of class 1, 4 at $1,000 each; 3, at $900 each; curator of museum, $1,000; telephone switchboard operator; assistant telephone switchboard operator; messenger in charge of mails, $900; messenger; 2 assistant messengers; page, $360; engineer, $1,400; 8 assistant engineers, at $1,000 each; electrician, $1,400; 2 assistant electricians, at $1,200 each; 3 dynamo tenders, at $900 each; fireman, who shall be a blacksmith, and fireman, who shall be a steam fitter, at $900 each; 10 elevator conductors, at $720 each; 17 firemen; carpenters—1 at $1,200, 1 at $1,000; 2, at $900 each; captain of the watch, $1,000; additional to 2 watchmen acting as lieutenant of watchmen, at $120 each; 24 watchmen; foreman of laborers, $800; 45 laborers; plumber and awning maker, at $900 each; female laborers—1 at $540, 3 at $500 each, 3 at $480 each; 45 charwomen; in all, $172,150.

Division of Post-office Inspectors: Chief inspector, $4,000; chief clerk, $2,000; clerks—3 of class 4, 8 of class 3, 12 of class 2, 16 of class 1, 14 at $1,000 each, 15 at $900 each; 3 assistant messengers; laborer; in all, $90,520.

Division of the Purchasing Agent: Purchasing agent, $4,000; chief clerk, $2,000; clerks—1 of class 4, 1 of class 3, 1 of class 2, 2 of class 1, 2 at $1,000 each; assistant messenger; actual and necessary expenses of the purchasing agent while traveling on business of the Post Office Department, $500; in all, $16,420.

Division of Assistant Attorney General for the Post Office Department: Assistant attorneys—1 at $2,750, 1 at $2,000; law clerk, $1,800; clerks—2 of class 4, 1 of class 3, 3 of class 2, 1 of class 1, 1 at $1,000, 1 at $900; assistant messenger; in all, $19,770.

Office First Assistant Postmaster General: First Assistant Postmaster General, $5,000; chief clerk, $2,500; superintendent division of salaries and allowances, $4,000; assistant superintendent division of salaries and allowances, $2,250; chief division of correspondence, $2,000; clerks—8 of class 4, 7 of class 3, 11 of class 2, 8 of class 1, 4 at $1,000 each, 8 at $900 each; messenger; four assistant messengers; laborer; 2 pages, at $360 each; in all, $82,650.

Division of Postmasters' Appointments: Superintendent, $3,000; 2 assistants, at $2,000 each; clerks—3 of class 4, 14 of class 3, 10 of class 2, 6 of class 1, 4 at $1,000 each, 2 at $900 each; 2 messengers; in all, $63,480.

Division of City Delivery: Superintendent, $3,000; assistant superintendent, $2,000; clerks—3 of class 3, 2 of class 2, 7 of class 1, 4 at $1,000 each, 2 at $900 each; messenger; laborer; in all, $28,300.

Office Second Assistant Postmaster General: Second Assistant Postmaster General, $5,000; chief clerk, $2,500; superintendent division of railway adjustments, $3,000; assistant superintendent division of railway adjustments, $2,250; superintendent division of foreign mails, $3,000; assistant superintendent division of foreign mails, $2,000; superintendent division of inspection, $2,000; superintendent division of equipment, $2,000; clerks—11 of class 4 (3 transferred to office of Fourth Assistant), 24 of class 3 (17 transferred to office of Fourth Assistant), 24 of class 2 (10 transferred to office of Fourth Assistant), 14 of class 1 (14 transferred to office of Fourth Assistant), 12 at $1,000 each (4 transferred to office of Fourth Assistant), 5 at $900 each (2 transferred to office of Fourth Assistant); messenger in charge of mails, $900; 5 assistant messengers (2 transferred to office of Fourth Assistant); page, $480; in all, $151,830.

Division of Railway Mail Service: General superintendent, $4,000; assistant general superintendent, $3,500; chief clerk, $2,000; clerks—2 of class 4, 5 of class 3, 6 of class 2, 5 of class 1, 3 at $1,000 each, 2 at $900 each; in all, $40,300.

Office Third Assistant Postmaster General: Third Assistant Postmaster General, $5,000; chief clerk, $2,500; superintendent Division of Stamps, $2,750; superintendent Division of Finance, who shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties, $2,250; assistant superintendent Division of Finance, $2,000; superintendent Division of Classification, $2,750; chief Division of Redemption, $2,000; superintendent Division of Registered Mails, $2,500; clerks—9 of class 4, 23 of class 3, 32 of class 2, 44 of class 1, 28 at $1,000 each, 18 at $900 each; messenger; 5 assistant messengers; 12 laborers; page, $360; in all, $229,270.

Division of Money Orders: Superintendent, $3,500; chief clerk, $2,250; clerks—3 of class 4, 7 of class 3, 11 of class 2, 11 of class 1, 10 at $1,000 each, 10 at $900 each; assistant messenger; 4 laborers; in all, $73,310.

Office Fourth Assistant Postmaster General: Fourth Assistant Postmaster General, $5,000; chief clerk, $2,500; superintendent Division of Rural Mails, $3,000; assistant superintendent Division of Rural Mails, $2,000; chief clerk Division of Rural Mails, $2,000 (in lieu of superintendent Division of Contracts, transferred from office of Second Assistant); clerks—7 of class 4 (including 3 transferred from office of Second Assistant), 20 of class 3 (including 17 transferred from office of Second Assistant), 22 of class 2 (including 10 transferred from office of Second Assistant), 44 of class 1 (including 14 transferred from office of Second Assistant), 43 at $1,000 each (including 4 transferred from office of Second Assistant), 10 at $900 each (including 2 transferred from office of Second Assistant); stenographer, $1,600; stenographer, $1,200; 2 messengers; 3 assistant messengers (including 2 transferred from office of Second Assistant); 2 laborers; 2 pages, at $360 each; in all, $203,380.

Division of Dead Letters: Superintendent, $2,750; clerk of class 4, who shall be chief clerk; clerks—5 of class 4, 8 of class 3, 10 of class 2, 34 of class 1, 38 at $1,000 each, 39 at $900 each; messenger; 3 assistant messengers; 15 laborers; 6 female laborers, at $480 each; in all, $170,030.

Division of Supplies.—Superintendent, $2,500; assistant superintendent, $2,000; clerks—2 of class 4, 3 of class 3, 11 of class 2, 18 of class 1, 16 at $1,000 each, 8 at $900 each; messenger; 11 assistant messengers; 18 laborers; page, $360; in all, $94,100.

Division of Topography.—For topographer, $2,750; assistant topographer, $2,000; skilled draftsmen—4 at $1,800 each, 4 at $1,600 each, 4 at $1,400 each, 5 at $1,200 each; examiner, $1,200; clerk of class 2; map mounter, $1,200; mechanic, $1,000; copyists of maps—7 at $1,000 each, 4 at $900 each; assistant map mounter, $720; assistant messenger; in all, $46,790.

Contingent expenses, Post Office Department.—For stationery and blank books, index and guide cards, folders, and binding devices, including amount necessary for the purchase of free penalty envelopes, $20,000.

For fuel and repairs to heating, lighting, and power plant, including repairs to elevators, the purchase and exchange of tools and electrical supplies, and removal of ashes, $35,000.

For gas and electric lights, $350.

For telegraphing, $4,000.

For painting, $2,000.

For purchase, exchange, hire, and keeping of horses and vehicles, and repair of vehicles and harness, to be used only for official purposes, $2,500.

For miscellaneous items, including the exchange of typewriters, adding machines, and other labor-saving devices; street car tickets not exceeding $200; plumbing, floor coverings; and postage stamps for correspondence addressed abroad which is not exempt under article 11 of the Rome convention of the Universal Postal Union, $20,000, of which sum not exceeding $3,985 may be expended for telephone service, and not exceeding $1,500 may be expended for law books, books of reference, railway guides, city directories, books necessary to conduct the business of the department; and repairs to the Post Office Department building.

For furniture and filing cabinets, $5,000.

For rent of a suitable building for storage of the files of the Post Office Department, $3,000.

For rent of stables, $500.

For the publication of copies of the Official Postal Guide, including not exceeding 3,000 copies for the use of the executive departments, $24,000.

For miscellaneous expenses in the Division of Topography in the preparation and publication of post-route maps and rural-delivery maps or blue prints, including tracing for photolithographic reproduction, $26,000. And the Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and 10 per cent thereof added, the proceeds of such sales to be used as a further appropriation for the preparation and publication of post-route maps and rural-delivery maps or blue prints. Of this amount $100 may be expended in the purchase of atlases, geographical and technical works needed in the Division of Topography.

No part of any appropriations made for the service of the Post Office Department in conformity with the act of July 2, 1836, shall be expended for any of the purposes herein provided for on account of the Post Office Department at Washington, D. C.

DEPARTMENT OF JUSTICE.

Office of the Attorney General: Attorney General, $12,000; Solicitor General, $10,000; assistant to the Attorney General, $7,000; 7 Assistant Attorneys General, at $5,000 each; Assistant Attorney General of the Post Office Department, $5,000; Solicitor of Internal Revenue, $5,000; Solicitor for the Department of State, $5,000; 4 attorneys at $5,000 each, 1 of whom shall have charge of all condemnation proceedings in the District of Columbia and supervise the examination of titles and matters arising from such condemnation proceedings in which the United States shall be a party or have an interest, and no special attorney or counsel, or services of persons other than of those provided for herein, shall be employed for such purposes; attorneys—1 at $3,750, 3 at $3,500 each, one at $3,250, 12 at $3,000 each, 2 at $2,500 each; assistant attorneys—1 at $3,500, 2 at $3,000 each, 2 at $2,750 each, 5 at $2,500 each, 1 at $2,400, 2 at $2,000 each; assistant examiner of titles, $2,000; chief clerk and ex officio superintendent of the buildings, $3,000; superintendent of buildings, $500; private secretary and assistant to the Attorney General, $3,000; clerk to the Attorney General, $1,600; stenographer to the Solicitor General, $1,600; law clerks—3 at $2,000 each, 2 of class 4, clerk in office of the Solicitor of Internal Revenue, $1,800; attorney in charge of pardons, $3,000; superintendent of prisons, $4,000; disbursing clerk, $2,750; appointment clerk, $2,000; Chief of Division of Investigation, $3,500; examiners—3 at $2,500 each, 4 at $2,250 each, 2 at $2,000 each, 3 at $1,800 each; librarian, $1,800; clerks—8 of class 4, 12 of class 3, 7 of class 2, 16 of class 1, 14 at $1,000 each, 21 at $900 each; chief messenger, $1,000; packer, $900; messenger, $960; 5 messengers; 13 assistant messengers; 7 laborers; 7 watchmen; engineer, $1,200; 2 assistant engineers, at $900 each; 4 firemen; 2 conductors of the elevator, at $720 each; head charwoman, $480; 22 charwomen. Division of Accounts: Chief of Division of Accounts, $2,500; chief bookkeeper and record clerk, $2,000; clerks—3 of class 4, 4 of class 3, 6 of class 2, 5 of class 1, 2 at $900 each; in all, $424,610.

The administrative audit of all expenditures under the control of the Department of Justice shall hereafter be made in the Division of Accounts of that Department.

Contingent expenses, Department of Justice: For furniture and repairs, including carpets, file holders, and cases, $4,500.

For books for law library of the department, $3,000.

For purchase of session laws and statutes of the States and Territories for library of department, $500.

For books for office of Solicitor of the Department of Commerce and Labor, $300.

For stationery for department and its several bureaus, $6,500.

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car tickets not exceeding $200, and other necessaries, directly ordered by the Attorney General, $25,000.

For official transportation, including purchase and exchange, keep, and shoeing of animals, and purchase, exchange, and repairs of wagons and harness, $2,500.

For rent of buildings and parts of buildings in the District of Columbia used by the Department of Justice, $32,200.

Office of the Solicitor of the Treasury: Solicitor of the Treasury, $5,000; Assistant Solicitor, $3,000; chief clerk, $2,000; 2 law clerks, at $2,000 each; 2 docket clerks, at $2,000 each; clerks—2 of class 4, 2 of class 3, 2 of class 2; assistant messenger; laborer; in all, $28,980.

For law books for office of the Solicitor of the Treasury, $300.

Office of the Solicitor of the Department of Commerce and Labor: Solicitor of the Department of Commerce and Labor, $5,000; Assistant Solicitor, $3,000; clerks—3 of class 4, 2 of class 3, 3 of class 2, 3 of class 1; messenger; in all, $25,240.

DEPARTMENT OF COMMERCE AND LABOR.

Office of the Secretary: Secretary of Commerce and Labor, $12,000; Assistant Secretary, $5,000; private secretary to the Secretary, $2,500; confidential clerk to the Secretary, $1,800; private secretary to Assistant Secretary, $2,100; chief clerk and superintendent, $3,000; disbursing clerk, $3,000; Chief of Appointment Division, $2,500; Chief, Division of Publications, $2,500; Chief, Division of Supplies, $2,100; clerks—10 of class 4, 11 of class 3, 12 of class 2, 11 of class 1, 10 at $1,000 each, 6 at $900 each; 2 telephone operators, at $720 each; messenger to the Secretary, $1,000; 5 messengers; 10 assistant messengers; 7 messenger boys, at $480 each; engineer, $1,000; 3 skilled laborers, at $840 each; 2 conductors of elevators, at $720 each; 2 firemen, at $660 each; 18 laborers; 5 laborers, at $480 each; cabinetmaker, $1,000; carpenter, $900; chief watchman, $900; 11 watchmen; 18 charwomen; in all, $170,300.

Bureau of Corporations: Commissioner of Corporations, $5,000; deputy commissioner, $3,500; chief clerk, $2,500; clerk to commissioner, $1,800; clerks—4 of class 4, 4 of class 3, 6 of class 2, 10 of class 1, 15 at $1,000 each; 16 copyists; messenger; assistant messenger; 3 messenger boys, at $480 each; in all, $79,200.

For compensation and per diem, to be fixed by the Secretary of Commerce and Labor, of special attorneys, special examiners, and special agents, for the purpose of carrying on the work of said bureau, as provided by the act approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor," the per diem to be, subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe, in lieu of subsistence, at a rate not exceeding $4 per day to each of said special attorneys, special examiners, and special agents, and also of other officers and employees in the Bureau of Corporations while absent from their homes on duty outside of the District of Columbia, and for their actual necessary traveling expenses, including necessary sleeping-car fares; in all, $175,000.

Bureau of Labor: Commisioner of Labor, $5,000; chief statistician, who shall also perform the duties of chief clerk, $3,000; 4 statistical experts, at $2,000 each; clerks—5 of class 4, 5 of class 3, 6 of class 2, 12 of class 1, 9 at $1,000 each; 2 copyists; 2 assistant messengers; 2 laborers; special agents—4 at $1,800 each, 6 at $1,600 each, 8 at $1,400 each, 4 at $1,200 each; in all, $102,160.

For per diem, in lieu of subsistence, of special agents and employees while traveling on duty away from their homes and outside of the District of Columbia, at a rate not to exceed $3 per day, and for their transportation, and for employment of experts and temporary assistance, to be paid at the rate of not exceeding $8 per day, and for traveling expenses of officers and employees, and for the purchase of reports and materials for the reports and bulletins of the Bureau of Labor, and for subvention to "International Association for Labour Legislation," and necessary expenses connected with representation of the United States Government therein, $64,090.

For books, periodicals, and newspapers for the library the sum of $100 may be expended for newspapers for the purpose of procuring strike data, and the annual subscriptions for newspapers and periodicals for the bureau may be paid in advance, $1,000.

To enable the Secretary of Commerce and Labor to provide and pay for the medical examination of employees of the United States receiving compensation for injuries under the provisions of the act of May 30, 1908, as directed by section 5 of said act, $3,000.

Bureau of Lighthouses: Commissioner, $5,000; deputy commissioner, $4,000; chief constructing engineer, $4,000; superintendent of naval construction, $3,000; chief clerk, $2,400; clerks—1 at $2,000, 2 of class 4, 1 of class 3, 2 of class 2, 6 of class 1, 5 at $1,000 each; 7 at $900 each, 1 at $840, 1 at $720; messenger; assistant messenger; 2 messenger boys, at $480 each; assistant engineers—1 at 3,000, 1 at $2,400, 1 at $2,250; draftsmen—1 at $1,800, 1 at $1,560, 1 at $1,440, 1 at $1,200; in all, $64,630.

Census Office: For director, $6,000; 4 chief statisticians, at $3,000 each; chief clerk, $2,500; geographer, $2,000; stenographer, $1,500; 8 expert chiefs of division, at $2,000 each; clerks—11 of class 4, 20 of class 3, 32 of class 2, 300 of class 1, 83 at $1,000 each, 87 at $900 each; engineer, $1,000; electrician, $1,000; skilled laborers—2 at $1,000 each, 4 at $900 each, 10 at $720 each; 6 watchmen; 3 messengers; 3 firemen; 5 assistant messengers; 8 unskilled laborers, at $720 each; 4 messenger boys, at $480 each; 14 charwomen; in all, $696,340.

In certifying eligibles from the civil-service registers for the purpose of appointment to positions of clerkships in the Census Office hereinbefore provided for at salaries of $1,200 or less, the Civil Service Commission shall, so far as practicable under the law of apportionment, certify those who have had at least one year's experience in census work.

Temporary clerks: In addition to the employees hereinbefore provided for, the Secretary of Commerce and Labor may appoint, on the recommendation of the Director of the Census, for such time as may be necessary, but not beyond June 30, 1913, not exceeding 175 temporary clerks, from among the employees of the Thirteenth Census force, such clerks to be paid salaries not greater than $900 per annum, or to be paid on a piece-price basis, and for the payment of the compensation of said temporary clerks there is appropriated the sum of $120,000.

For securing information for census reports provided for by law, semimonthly reports of cotton production, and periodical reports of stocks of baled cotton in the United States and of the domestic and foreign consumption of cotton; per diem compensation of special agents and expenses of the same and of the detailed employees, whether employed in Washington, D. C., or elsewhere; the cost of transcribing State, municipal, and other records; the temporary rental of quarters outside of the District of Columbia; for supervising agents, and the employment by them of such temporary service as may be necessary in collecting the statistics required by law: *Provided*, That the compensation of not to exceed 5 special agents provided for in this paragraph may be fixed at an amount not to exceed $8 per day, $342,000.

For rental of quarters, $22,080.

For stationery, $10,00.

For furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraph and telephone service, photographic work and supplies, transportation and preparing articles for shipment, horses, wagons, electric truck, and maintenance thereof, diagrams, maps, blue prints, awnings, shelving, filing apparatus, fuel, light, office fixtures, street car tickets not exceeding $200, and other absolutely necessary expenses, including the purchase, rental, construction, repair and exchange of mechanical appliances, repairs to the Census Building, and necessary expenses in connection with the prosecution of fraudulent census returns, $15,000.

For purchase of books of reference and periodicals, $500.

For experimental work in developing tabulating machines and repairs to such machinery and other mechanical appliances, including technical and mechanical service in connection therewith, whether performed in Washington, D. C., or elsewhere, and the purchase of necessary machinery and supplies, $26,000.

For printing and binding in connection with the results of the Thirteenth Decennial Census, $272,000.

The Bureau of Manufactures and the Bureau of Statistics, both of the Department of Commerce and Labor, are hereby consolidated into one bureau to be known as the Bureau of Foreign and Domestic Commerce, to take effect July 1, 1912, and the duties required by law to be performed by the Bureau of Manufactures and the Bureau of Statistics are transferred to and shall after that date be performed by the Bureau of Foreign and Domestic Commerce.

Those certain duties of the Department of Labor, or Bureau of Labor, contained in section 7 of the act approved June 13, 1888, that established the same, which especially charged it "to ascertain, at as early a date as possible, and whenever industrial changes shall make it essential, the cost of producing articles at the time dutiable in the United States, in leading countries where such articles are produced, by fully specified units of production, and under a classification showing the different elements of cost, or approximate cost, of such articles of production, including the wages paid in such industries per day, week, month, or year, or by the piece; and hours employed per day; and the profits of manufacturers and producers of such articles; and the comparative cost of living, and the kind of living; what articles are controlled by trusts or other combinations of capital, business operations, or labor, and what effect said trusts, or other combinations of capital, business operations, or labor have on production and prices," are hereby transferred to and shall hereafter be discharged by the Bureau of Foreign and Domestic Commerce, and it shall be also the duty of said Bureau of Foreign and Domestic Commerce to make such special investigation and report on particular subjects when required to do so by the President or either House of Congress.

Bureau of Foreign and Domestic Commerce: Chief of bureau, $4,000; assistant chiefs of bureau, 1 at $3,000, 1 at $2,750; Chief of Division of Consular Reports, $2,500; chief clerk, $2,250; stenographer to chief of the bureau, $1,600; clerks—7 of class 4, 5 of class 3, 1 at $1,500, 11 of class 2, 14 of class 1, 17 at $1,000 each, 11 at $900 each; messenger; 5 assistant messengers; 4 laborers; laborer, $480; in all, $104,860.

To enable the Bureau of Foreign and Domestic Commerce to collate and publish the tariffs of foreign countries in the English language, with the equivalents in currency, weights, and measures of the United States of all such foreign terms used in said tariffs, and to furnish information to Congress and the Executive relative to customs laws and regulations of foreign countries, and the purchase of books and periodicals, $10,000.

To further promote and develop the foreign and domestic commerce of the United States, $60,000, to be expended under the direction of the Secretary of Commerce and Labor.

Steamboat-Inspection Service: For Supervising Inspector General, $4,000; chief clerk and Acting Supervising Inspector General in the absence of that officer, $2,000; clerks—2 of class 3, 1 of class 2, 1 of class 1, 2 at $1,000 each; messeneger; in all, $14,640.

Salaries of steamboat inspectors: For salaries of 10 supervising inspectors, at $3,000 each, as authorized by section 4404, Revised Statutes United States; for salaries of inspectors of hulls and inspectors of boilers, as authorized by the acts of Congress approved April 9, 1906, and May 28, 1908, $167,100; for salaries of assistant inspectors, as authorized by the act of Congress approved April 9, 1906, as follows: For the port of New York, N. Y., 27, at $2,000 each; for the port of New Orleans, La., 4, at $1,800 each; for the port of Baltimore, Md., 6, at $1,800 each; for the port of Boston, Mass., 6, at $1,800 each; for the port of Philadelphia, Pa., 8, at $1,800 each; for the port of San Francisco, Cal., 8, at $1,800 each; for the port of Buffalo, N. Y., 4, at $1,600 each; for the port of Milwaukee, Wis., 8, at $1,600 each; for the port of Norfolk, Va., 4, at $1,600 each; for the port of Seattle, Wash., 8, at $1,600 each; in all, $347,100.

Clerk hire, service at large: For the compensation, not exceeding $1,500 a year to each person, of clerks to boards of steamboat inspectors, to be appointed by the Secretary of Commerce and Labor in accordance with the provisions of the act of April 9, 1906, $83,000.

Contingent expenses: For the payment of fees to witnesses; for traveling and other expenses when on official business of the Supervising Inspector General, supervising inspectors, local and assistant inspectors, and clerks; for instruments, furniture, stationery, janitor service, and every other thing necessary to carry into effect the provisions of title 52, Revised Statutes, of the act of April 4, 1888, amending the act of June 19, 1886, as amended by the acts of March 1, 1895, February 15, 1897, March 3, 1905, April 9, 1906, and May 28, 1908, $90,000.

Bureau of Navigation: Commissioner of Navigation, $4,000; Deputy Commissioner, $2,400; chief clerk, $2,000; clerk to commissioner, $1,600; clerks—2 of class 4, 1 of class 3, 3 of class 2, 4 of class 1, 2 at $1,000 each, 6 at $900 each; 2 messengers; in all, $33,280.

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

Clerk hire: For the compensation to be fixed by the Secretary of Commerce and Labor not to exceed $1,600 per annum to each person, of clerks in the offices of the shipping commissioners, $35,000.

Contingent expenses: For rent, stationery, and other requisites for the transaction of the business of shipping commissioners' offices and rent of temporary quarters for the United States shipping commissioner at New York, N. Y., not to exceed $3,150, and for janitor in his office, $840; in all, $9,000.

For tools, appliances, and instruments for the admeasurement of vessels and the counting of passengers, $1,000.

Enforcement of navigation laws: To enable the Secretary of Commerce and Labor to provide and operate such motor boats and employ thereon such persons as may be necessary for the enforcement, under his direction by customs officers, of the laws relating to the navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats, $15,000.

Wireless communication: To enable the Secretary of Commerce and Labor to enforce the act approved June 24, 1910, entitled "An act to

require apparatus and operators for radio communication on certain ocean steamers"; and to employ such persons and means as may be necessary, $10,000.

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

For the purpose of carrying into effect the provisions of the act approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," namely: Chief of Division of Naturalization, $3,500; assistant chief of division, $3,000; clerks—4 of class 4, 6 of class 3, 8 of class 2, 11 of class 1, 8 at $1,000 each, 2 at $900 each; messenger; 2 assistant messengers; messenger boy, $480; in all, $60,260.

For Division of Information established under section 40 of the act approved February 20, 1907, entitled "An act to regulate the immigration of aliens into the United States," namely: Chief of division, $3,500; assistant chief of division, $2,500; clerks—2 of class 4, 1 of class 3, 2 of class 2, 3 of class 1, 1 at $900; messenger; in all, $19,340.

Bureau of Standards: Director, $6,000; chief physicist, $4,800; physicist, qualified in optics, $3,600; 2 physicists at $3,600 each; associate physicists—1 at $2,700, 3 at $2,500 each, 3 at $2,200 each, 5 at $2,000 each; assistant physicists—7 at $1,800 each, 11 at $1,600 each, 14 at $1,400 each; chief chemist, $4,800; associate chemists—1 at $2,500, 1 at $2,200; assistant chemists—2 at $1,800 each, 3 at $1,600 each, 2 at $1,400 each; laboratory assistants—15 at $1,200 each, 12 at $1,000 each, 11 at $900 each; 3 laboratory helpers, at $720 each; aids—9 at $720 each, 6 at $600 each; laboratory apprentices—6 at $540 each, 6 at $480 each; storekeeper, $1,000; librarian, $1,400; secretary, $2,200; clerks—1 of class 4, 1 of class 3, 2 of class 2, 2 of class 1, 4 at $1,000 each, 2 at $900 each, 2 at $720 each; telephone operator, $720; messenger boys—2 at $480 each, 3 at $360 each; elevator boy, $360; chief mechanician, $1,800; mechanicians—1 at $1,500, 1 at $1,400, 2 at $1,200 each, 3 at $1,000 each, 1 at $900; 3 watchmen; skilled woodworkers—1 at $1,000, 1 at $840; 5 skilled laborers, at $720 each; draftsman, $1,200; packer and shipper, $840; messenger; superintendent of mechanical plant, $2,500; assistant engineers—2 at $1,200 each, 1 at $1,000, 1 at $900; 3 firemen; glass blower, $1,400; electricians—1 at $1,200, 1 at $900; 4 laborers; janitors—2 at $660 each, 1 at $600; 2 female laborers, at $360 each; in all, $239,940.

For apparatus, machinery, tools, and appliances used in connection with the buildings or with the work of the bureau, laboratory supplies, materials and supplies used in the construction of apparatus, machinery, or other appliances, including their exchange; piping, wiring, and construction incident to the installation of apparatus, machinery, or appliances; furniture for laboratories and offices, cases for apparatus, $50,000.

For repairs and necessary alterations to buildings, $2,000.

For fuel for heat, light, and power; office expenses, stationery, books and periodicals (subscriptions to periodicals may be paid in advance); traveling expenses; street-car tickets not exceeding $100; expenses of the visiting committee; expenses of attendance of American member at the meeting of the International Committee of Weights and Measures; and contingencies of all kinds, $25,000.

For grading, construction of roads and walks, piping grounds for water supply, lamps, wiring for lighting purposes, and other expenses incident to the improvement and care of grounds, $3,000.

For completing investigation of the effects of electric currents upon gas and water pipes, and upon the reenforced foundations of buildings, bridges, and other structures, and for determining methods of discovering and preventing the destructive effects of such currents, including personal services in the District of Columbia and in the field, $10,000.

For the continuation of the investigation of the structural materials, such as stone, clays, cement, etc., including personal services in the District of Columbia and in the field, $75,000.

For the maintenance and operation of testing machines, including personal services in connection therewith in the District of Columbia and in the field, for the determination by the Bureau of Standards of the physical constants and the properties of materials as authorized by law, $30,000.

For the construction of a water current meter testing tank, $5,000.

Children's Bureau: For the following as authorized by the act entitled "An act to establish in the Department of Commerce and Labor a bureau to be known as the Children's Bureau," approved April 9, 1912, namely: Chief of bureau, $5,000; assistant chief of bureau, $2,400; statistical expert, $2,000; private secretary to the chief of bureau, $1,500; clerks—2 of class 4, 2 of class 3, 1 of class 2, 1 of class 1, 1 at $1,000; special agents—1 at $1,400, 1 at $1,200; copyist; messenger; in all, $25,640.

Contingent expenses, Department of Commerce and Labor: For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $2,500), stationery, furniture and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, fuel, lighting and heating; for the purchase, exchange, and care of horses and vehicles, to be used only for official purposes; freight and express charges, postage to foreign countries, telegraph and telephone service, typewriters and adding machines, including their exchange; repairs to the building occupied by the offices of the Secretary of Commerce and Labor; storage of documents belonging to the Bureau of Lighthouses, not to exceed $1,500, and for storage of documents belonging to the Bureau of Labor, not to exceed $750, street car tickets not exceeding $300; and all other miscellaneous items and necessary expenses not included in the foregoing, $60,000, and in addition thereto sums amounting to $66,500 shall be deducted from other appropriations made for the fiscal year 1913, and added to the appropriation "Contingent expenses, Department of Commerce and Labor," in order to facilitate the purchase through the central purchasing office as provided in the act of June 17, 1910 (Stat. L., vol. 36, p. 531), of certain supplies for bureaus and offices for which contingent and miscellaneous appropriations are specifically made as follows: General expenses, Lighthouse Service, $8,000; stationery, Bureau of the Census, $10,000; miscellaneous expenses, Bureau of the Census, $15,000; books and periodicals, Bureau of the Census, $500; contingent expenses, Steamboat-Inspection Service, $3,000; contingent expenses, shipping service, $500; instruments for measuring vessels and counting passengers, $500; expenses of regulating immigration, $13,500; equipment, Bureau of Standards, $1,000; general expenses, Bureau of Standards, $1,800; general expenses, Coast and Geodetic Survey, $4,200; miscellaneous expenses, Bureau of Fisheries, $8,500; and the said total sum of $126,500 shall be and constitute the appropriation for contingent expenses, Department of Commerce and Labor, to be expended through the central purchasing office (Division of Supplies), Department of Commerce and Labor, and shall also be available for objects and purposes of the several appropriations mentioned under the title "Contingent expenses, Department of Commerce and Labor," in this act.

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

JUDICIAL.

Supreme Court: Chief Justice of the Supreme Court of the United States, $15,000; 8 Associate Justices, at $14,500 each; marshal, $4,500; 9 stenographic clerks, one for the Chief Justice and one for each Associate Justice, at not exceeding $2,000 each; in all, $153,500.

Circuit courts of appeals: Thirty-four circuit judges, at $7,000 each; 9 clerks of circuit courts of appeals, at $3,500 each; messenger, to act as librarian and crier, circuit court of appeals, eighth circuit, $3,000; in all, $272,500.

No circuit judge shall hereafter be appointed until the whole number of circuit judges shall be reduced to 29, and thereafter there shall not be more than 29 circuit judges.

District courts: Ninety-three district judges, at $6,000 each, $558,000.

District court, Territory of Hawaii: Two judges, at $6,000 each; clerk, $3,000; reporter, $1,200; $16,200.

Retired justices and judges: To pay the salaries of the United States justices and judges retired under section 714 of the Revised Statutes, so much as may be necessary for the fiscal year ending June 30, 1913, is hereby appropriated.

Court of Appeals, District of Columbia: Chief justice, $7,500; two associate justices, at $7,000 each; clerk, $3,250, and $250 additional as custodian of the court of claims building; assistant or deputy clerk, $2,250; reporter, $1,500; *Provided*, That the reports issued by him shall not be sold for more than $5 per volume; crier, who shall also act as stenographer and typewriter in the clerk's office when not engaged in court room, $1,000; 3 messengers, at $720 each; necessary expenditures in the conduct of the clerk's office, $1,000; 3 stenographers, 1 for the chief justice and 1 for each associate justice, at $1,200 each; in all $36,510, one-half of which shall be paid from the revenues of the District of Columbia: *Provided*, That on and after July 1, 1912, the fees collected by the clerk of the Court of Appeals, District of Columbia, shall be deposited in the Treasury, one-half to the credit of the District of Columbia.

Supreme Court, District of Columbia: Chief justice and 5 associate judges, at $6,000 each; 6 stenographers, 1 for the chief justice and 1 for each associate justice, at $900 each; in all, $41,400, one-half of which shall be paid from the revenues of the District of Columbia: *Provided*, That on and after July 1, 1912, the surplus fees collected by the clerk of the Supreme Court of the District of Columbia shall be deposited in the Treasury, one-half to the credit of the District of Columbia.

Commissioner, Yellowstone Park: Commissioner in Yellowstone National Park, $1,500. And the provisions of section 21 of the legislative, executive, and judicial appropriation act approved May 28, 1896, shall not be construed as impairing the right of said commissioner to receive said salary as herein provided.

Books for judicial officers: For the purchase and rebinding of law books of reference for United States judges, district attorneys, and other judicial officers, including the nine libraries of the United States circuit courts of appeals, to be expended under the direction of the Attorney General: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased thereunder to be plainly marked "The property of the United States," $16,000.

Court of Customs Appeals: Presiding judge and 4 associate judges, at $7,000 each; marshal, $3,000; clerk, $3,500; assistant clerk, $2,000; 5 stenographic clerks, at $1,600 each; stenographic reporter, $2,500; and messenger, $840; in all, $54,840.

For rent of necessary quarters in Washington, D. C., and elsewhere, $7,000; for necessary traveling expenses of members of the court and clerk, $330; for books, periodicals, and stationery, supplies, freight, telephone and telegraph, heat, light, and power service, drugs, chemicals, and cleansers, furniture, and printing; for pay of bailiffs and all other necessary employees not otherwise specifically provided for; and for such other miscellaneous expenses as may be approved by the presiding judge, $8,000; in all, $15,330.

Court of Claims: Chief justice, $6,500; 4 judges, at $6,000 each; chief clerk, $3,500; assistant clerk, $2,500; bailiff, $1,500; clerks—1 at $1,600; 2 at $1,400 each; 3 at $1,200 each; stenographer, $1,200; chief messenger, $1,000; 3 firemen; 3 watchmen; elevator conductor, $720; 2 assistant messengers; 2 laborers; 2 charwomen; in all, $56,480.

For auditors and additional stenographers, when deemed necessary, in the Court of Claims, and for a stenographer, at $1,600, for the chief justice, to be disbursed under the direction of the court, $6,000.

For stationery, court library, repairs, including repairs to bicycles, fuel, electric light, electric elevator, and other miscellaneous expenses, $3,900.

For reporting the decisions of the court and superintending the printing of the forty-seventh volume of the reports of the Court of Claims, $1,000, to be paid on the order of the court, notwithstanding section 1765 of the Revised Statutes or section 3 of the act of June 20, 1874.

For pay of a custodian of the building occupied by the Court of Claims, $500, to be paid on the order of the court, notwithstanding section 1765 of the Revised Statutes or section 3 of the act of June 20, 1874.

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

SEC. 3. That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons incapacitated otherwise than temporarily for performing such service: *Provided*, That no part of any money appropriated in lump sum in this act shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the fiscal year 1912; nor shall any person employed at a specific salary under this act be transferred during the fiscal year 1913 and be paid from a lump-sum

appropriation a rate of compensation greater than such specific salary and the heads of departments shall cause this provision to be enforced.

SEC. 4. The Civil Service Commission shall, subject to the approval of the President, establish a system of efficiency ratings for the classified service in the several executive departments in the District of Columbia based upon records kept in each department and independent establishment with such frequency as to make them as nearly as possible records of fact. Such system shall provide a minimum rating of efficiency which must be attained by an employee before he may be promoted; it shall also provide a rating below which no employee may fall without being demoted; it shall further provide for a rating below which no employee may fall without being dismissed for inefficiency. All promotions, demotions, or dismissals shall be governed by provisions of the civil-service rules. Copies of all records of efficiency shall be furnished by the departments and independent establishments to the Civil Service Commission for record in accordance with the provisions of this section: *Provided*, That in the event of reductions being made in the force in any of the executive departments no honorably discharged soldier or sailor whose record in said department is rated good shall be discharged or dropped or reduced in rank or salary.

Any person knowingly violating the provisions of this section shall be summarily removed from office, and may also upon conviction thereof be punished by a fine of not more than $1,000, or by imprisonment for not more than one year.

SEC. 5. That any person violating section 4 of the legislative, executive, and judicial appropriation act approved August 5, 1882 (Stat. L., vol. 22, p. 255), shall be summarily removed from office, and may also, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than one year.

SEC. 6. That in addition to the apportionment required by the so-called antideficiency act, approved February 27, 1906 (Stat. L., vol. 34, p. 49), the head of each executive department shall, on or before the beginning of each fiscal year, apportion to each office or bureau of his department the maximum amount to be expended therefor during the fiscal year out of the contingent fund or funds appropriated for the entire year for the department, and the amounts so apportioned shall not be increased or diminished during the year for which made, except upon the written direction of the head of the department, in which there shall be fully expressed his reasons therefor; and hereafter there shall not be purchased out of any other fund any article for use in any office or bureau of any executive department in Washington, D. C., which could be purchased out of the appropriations made for the regular contingent funds of such department or of its offices or bureaus.

SEC. 7. That no money appropriated by this or any other act shall be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business, and so shown by vouchers duly sworn to and approved by the head of the department, division, bureau, or office in which the official using such telephone or incurring the expense of such tolls shall be employed.

SEC. 8. That no money appropriated by this or any other act shall be used after the 1st day of October, 1912, for services in any executive department or other Government establishment at Washington, D. C., in the work of addressing, wrapping, mailing, or otherwise dispatching any publication for public distribution, except maps, weather reports, and weather cards issued by an executive department or other Government establishment at Washington, D. C., or for the purchase of material or supplies to be used in such work; and on and after October 1, 1912, it shall be the duty of the Public Printer to perform such work at the Government Printing Office. Prior to October 1, 1912, each executive department and other Government establishment at Washington, D. C., shall transfer to the Public Printer such machines, equipment, and materials as are used in addressing, wrapping, mailing, or otherwise dispatching publications; and each head of such executive department and other Government establishment, at Washington, D. C., shall furnish, from time to time, to the Public Printer, mailing lists, in convenient form, and changes therein, or franked slips, for use in the public distribution of publications issued by such department or establishment; and the Public Printer shall furnish copies of any publication only in accordance with the provisions of law or the instruction of the head of the department or establishment issuing the publication. The employment of all persons in the several executive departments and other Government establishments at Washington, D. C., wholly in connection with the duties herein transferred to the Public Printer, or whose services can be dispensed with or devolved upon another because of such transfer, shall cease and determine on or before the 1st day of October, 1912, and their salaries or compensation shall lapse for the remainder of the fiscal year 1913 and be covered into the Treasury. A detailed statement of all machines, equipment, and material transferred to the Government Printing Office by operation of this provision and of all employments discontinued shall be submitted to Congress at its next session by the head of each executive department and other Government establishments at Washington, D. C., in the annual estimates of appropriations: *Provided*, That nothing in this section shall be construed as applying to orders, instructions, directions, notices, or circulars of information, printed for and issued by any of the executive departments or other Government establishments, or to the distribution of public documents by Senators or Members of the House of Representatives, or to the folding rooms and documents rooms of the Senate or House of Representatives.

SEC. 9. That the Commerce Court created and established by the act entitled "An act to create a Commerce Court and to amend the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended and for other purposes," approved June 18, 1910, be, and the same hereby is, abolished and the jurisdiction vested in said Commerce Court by said act is hereby transferred to and vested in the several district courts of the United States.

All cases pending and undisposed of in said Commerce Court are hereby transferred to and shall be deemed pending in the district court of any of the judicial districts within which the original cause of action brought before the Interstate Commerce Commission arose, such district to be designated by the complainant; and the venue of all suits and proceedings hereafter brought to enforce, set aside, annul, or modify any order of the Interstate Commerce Commission shall be in any of the judicial districts within which the original cause of action brought before the commission arose.

The venue in suits brought to enforce an order for the payment of money shall be in the district court of the judicial district in which the complainant resides. The procedure in the district court in respect to cases of which jurisdiction is conferred upon them by this act shall be the same as that heretofore prevailing in the said Commerce Court and the right of appeal from the district courts in such cases shall be the same as the right of appeal heretofore prevailing under existing law from the Commerce Court. No interlocutory injunction suspending or restraining the enforcement, operation, or execution of any order made or entered by the Interstate Commerce Commission shall be issued or granted by any justice of the Supreme Court, or by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a justice of the Supreme Court of the United States, or to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a justice of the Supreme Court, or a circuit judge, and the other two may be either circuit or district judges, and unless a majority of said three judges shall concur in granting such application. When such application as aforesaid is presented to a justice of the Supreme Court, or to a judge, he shall immediately call to his assistance to hear and determine the application two other judges: *Provided, however*, That one of such three judges shall be a justice of the Supreme Court, or a circuit judge. Said application shall not be heard or determined before at least five days' notice of the hearing has been given to the Interstate Commerce Commission, to the Attorney General of the United States, and to such other persons as may be defendants in the suit: *Provided*, That if of opinion that irreparable loss or damage would result to the complainant unless a temporary restraining order is granted, any justice of the Supreme Court, or any circuit or district judge, may grant such temporary restraining order at any time before such hearing and determination of the application for an interlocutory injunction, but such temporary restraining order shall remain in force only until the hearing and determination of the application for an interlocutory injunction upon notice as aforesaid. The hearing upon such application for an interlocutory injunction shall be given precedence, and shall be in every way expedited and be assigned for a hearing at the earliest practicable day after the expiration of the notice hereinbefore provided for. An appeal may be taken direct to the Supreme Court of the United States from the order granting or denying, after notice and hearing, an interlocutory injunction in such case; and upon the final hearing of any suit brought to annul, enjoin, or restrain any order of said commission the same requirement as to judges and the same procedure as to appeal shall apply. The provisions of this section shall also apply to the issuing and granting of interlocutory injunctions suspending or restraining the enforcement, operation, or execution of orders made by any administrative board or commission created by and acting under the statute of a State. That in such case the notice required shall be served upon the defendants in the case, and upon the attorney general of the State. All cases pending in the Commerce Court at the date of the passage of this act shall be transferred forthwith to said district courts. Each of said cases and all the records, papers, and proceedings shall be transferred to the district court wherein it might have been filed at the time it was filed in the Commerce Court if this act had then been in effect, and if it might have been filed in any one of two or more district courts it shall be transferred to that one of said district courts which may be designated by the petitioner or petitioners in said case, or, upon failure of said petitioners to act in the premises within 10 days after the passage of this act, to such one of said district courts as may be designated by the judges of the Commerce Court. The judges of the Commerce Court shall have authority, and are hereby directed, to make any and all orders and to take any other action necessary to transfer as aforesaid the cases and all the records, papers, and proceedings then pending in the Commerce Court to said district courts.

SEC. 10. That until otherwise provided by law, the regular annual estimates of appropriations for expenses of the Government of the United States shall be prepared and submitted to Congress, by those charged with the duty of such preparation and submission, only in the form and at the time now required by law, and in no other form and at no other time.

SEC. 11. That all laws or parts of laws inconsistent with this act are repealed.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from North Carolina to the amendment of the Committee on Appropriations.

Mr. CLAPP. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THORNTON. Mr. President, I voted against the abolition of the Commerce Court when the question was before the Senate heretofore for the reason that I believed the court served a most valuable public service in facilitating the disposition of cases that came from the Interstate Commerce Commission. I see no reason to change my opinion, and therefore I shall vote against the amendment offered by the Senator from North Carolina.

The Secretary proceeded to call the roll.

Mr. McCUMBER (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. PERCY]. I transfer it to the senior Senator from Massachusetts [Mr. LODGE] and will vote. I vote "nay."

Mr. STONE (when his name was called). I have a pair with the Senator from Wyoming [Mr. CLARK], which I transfer to the junior Senator from Arkansas [Mr. DAVIS] and will vote. I vote "yea."

The roll call was concluded.

Mr. LIPPITT. I have a pair with the Senator from Tennessee [Mr. LEA], which I transfer to the senior Senator from South Dakota [Mr. GAMBLE] and will vote. I vote "nay."

Mr. CULBERSON. I transfer my general pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. MARTINE of New Jersey. I desire to announce that my colleague [Mr. BRIGGS] is paired with the Senator from West Virginia [Mr. WATSON].

Mr. WILLIAMS (after having voted in the affirmative). Forgetting for the moment my pair, I inadvertently voted. I am paired with the Senator from Pennsylvania [Mr. PENROSE]. I transfer the pair to the Senator from Maine [Mr. GARDNER] and will allow my vote to stand.

Mr. SHIVELY. I wish to announce the necessary absence of my colleague [Mr. KERN].

Mr. POMERENE. The Senator from Maine [Mr. JOHNSON] is necessarily absent, and I have been requested to announce his pair with my colleague, the senior Senator from Ohio [Mr. BURTON].

Mr. SMOOT. I desire to announce the absence from the city of my colleague [Mr. SUTHERLAND]. He has a general pair with the senior Senator from Maryland [Mr. RAYNER]. If my colleague were here, he would vote "nay." I wish this announcement to stand for the day.

Mr. LODGE. I understand that during my necessary absence I was paired with the Senator from Mississippi [Mr. PERCY]. I transfer the pair to the Senator from Tennessee [Mr. SANDERS] and will vote. I vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Connecticut [Mr. BRANDEGEE] is paired with the Senator from New York [Mr. O'GORMAN]; that the Senator from New Jersey [Mr. BRIGGS] is paired with the Senator from West Virginia [Mr. WATSON]; that the Senator from Nebraska [Mr. BROWN] is paired with the Senator from Oklahoma [Mr. OWEN]; that the Senator from Ohio [Mr. BURTON] is paired with the Senator from Maine [Mr. JOHNSON]; that the Senator from Montana [Mr. DIXON] is paired with the Senator from Texas [Mr. BAILEY]; that the Senator from Colorado [Mr. GUGGENHEIM] is paired with the Senator from Kentucky [Mr. PAYNTER]; that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS]; that the Senator from Delaware [Mr. RICHARDSON] is paired with the Senator from South Carolina [Mr. SMITH]; that the Senator from New York [Mr. ROOT] is paired with the Senator from Indiana [Mr. KERN]; that the Senator from Wisconsin [Mr. STEPHENSON] is paired with the Senator from Oklahoma [Mr. GORE]; that the Senator from Utah [Mr. SUTHERLAND] is paired with the Senator from Maryland [Mr. RAYNER].

The result was announced—yeas 35, nays 23, as follows:

YEAS—35.

Ashurst	Clapp	Martine, N. J.	Shively
Bacon	Crawford	Massey	Simmons
Bankhead	Culberson	Myers	Smith, Ariz.
Borah	Cummins	Nelson	Stone
Bourne	Fall	Newlands	Swanson
Bristow	Fletcher	Overman	Tillman
Bryan	Heyburn	Poindexter	Williams
Chamberlain	Johnston, Ala.	Pomerene	Works
Chilton	La Follette	Reed	

NAYS—23.

Burnham	Gallinger	Martin, Va.	Smoot
Catron	Jones	Oliver	Thornton
Crane	Lippitt	Page	Townsend
Cullom	Lodge	Perkins	Warren
Curtis	McCumber	Smith, Md.	Wetmore
Dillingham	McLean	Smith, Mich.	

NOT VOTING—36.

Bailey	Dixon	Johnson, Me.	Rayner
Bradley	du Pont	Kenyon	Richardson
Brandegee	Foster	Kern	Root
Briggs	Gamble	Lea	Sanders
Brown	Gardner	O'Gorman	Smith, Ga.
Burton	Gore	Owen	Smith, S. C.
Clark, Wyo.	Gronna	Paynter	Stephenson
Clarke, Ark.	Guggenheim	Penrose	Sutherland
Davis	Hitchcock	Percy	Watson

So Mr. OVERMAN'S amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WARREN. The amendment covers the entire matter to be included, so that the bill may be put on its passage.

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

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

The bill was read the third time and passed.

THE PRESIDENTIAL TERM.

Mr. CUMMINS. Mr. President, I now ask the Senate to resume the consideration of the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. CLAPP. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield.

Mr. CLAPP. I will ask the Senator from Iowa if he would be willing to temporarily lay aside the unfinished business for the consideration of the bill relating to bills of lading?

Mr. CUMMINS. No, Mr. President; I do not feel that I can do that. I hope we can speedily reach a vote upon the joint resolution.

As it is printed there is a grammatical error in the amendment proposed by the committee which I desire to correct. On page 2, line 9, there is what is known as a divided infinitive, and I ask that the word "again" and the word "hold" be transposed, so that the line will read, "shall be eligible to hold again the office by election."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, line 9, in the committee amendment transpose the words "again" and "hold," so as to read:

Shall be eligible to hold again the office by election.

The amendment to the amendment was agreed to.

Mr. CUMMINS. Mr. President, the Constitution of the country, Article II, section 1, is as follows:

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected as follows—

I need not read further at this point, because the proposed amendment concerns only the paragraph I have read.

In order, however, fully to understand its scope, I read another paragraph from Article II:

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

It is known to all Senators that Congress has provided that in the event of the death, disability, removal, or resignation of both the President and the Vice President the succession shall be through the officers ordinarily known as Cabinet officers, beginning with the Secretary of State.

I now ask the Senate to listen to the reading of the proposed amendment.

The executive power shall be vested in a President of the United States of America. The term of the office of President shall be six years; and no person who has held the office by election, or discharged its powers or duties, or acted as President under the Constitution and laws made in pursuance thereof shall be eligible to hold again the office by election.

The President, together with the Vice President chosen for the same term, shall be elected as follows:

The effect of the amendment is to render ineligible for election to the office of President any person who has theretofore held the office, speaking broadly, whether by election, whether by succession as Vice President, or whether by succession under the act of Congress.

It involves a question which has been under debate for 125 years. It began in the Constitutional Convention of 1787 and has continued until the present time.

I do not intend upon this occasion to review the debate from the historical standpoint. I refrain from doing it for two reasons. First, I desire to be brief, for I can not think that at this time in the session it is appropriate to consume much time in the discussion of a question which has been well known to the American people during the whole period of our existence as a Republic.

My second reason is the more important one. I do not review the opinions of the men of former times in regard to this subject because, as much as I venerate the memories of the statesmanship of the earlier days, I do not attach great value to their opinions upon the subject. The people of the country have changed; the Government of the country has in a large measure changed; the influences surrounding a President of the United States have changed. The problems with which both the President and Congress are compelled to deal have changed. The duties and the responsibilities of a President have been marvelously transformed. We are living in a new age. I value the trained judgment of the men who now compose the Congress of the United States, taught by their observation, broadened by their experience, far more than I value the opinions of men, however wise, who lived under different conditions, and who looked at the Government from a standpoint which we can not occupy.

I would as soon consult the great patriots, the thinkers, and statesmen of the earlier days with respect to the regulation of railways, the control of corporations, the restriction of individual wealth, as I would with regard to the propriety of confining a President to one term. It is for us looking to the

welfare of the people whom we serve, enlightened by all that has happened during the history of our country, to say whether we believe that the public good would be better attained through the limitation proposed in this joint resolution than through the custom which now prevails.

The President of the United States has more power than any other man in the world. I believe the statement I have just made will not be contradicted. I am sure that it can not successfully be overthrown. His general commission under the Constitution is to execute the laws made by Congress, interpreted by our courts. He appoints all the judges of the United States. Directly or indirectly he appoints, promotes, and demotes the nearly 400,000 men and women, exclusive of our military service, who are necessary to the maintenance and operation of our governmental functions. He is Commander in Chief of the Army and Navy and directs the movements of both. He appoints all the chief officers of the Army and the Navy without any limitation in law. He is the representative of the people of the country in their relations with foreign nations. He is always the chief figure of the Government and generally the leader of the political party to which he belongs.

It is manifest that in the discharge of these high, comprehensive duties and in the exercise of this vast power he should have an eye single to the general good. So far, I am sure, I am in accord with every thoughtful and patriotic man. He should exercise this power uninfluenced by fear or by favor. He should be as free from the temptations of ambition as he should be free from the coercion of influences that always surround one invested with great power.

We will assume that a President of the United States when he enters upon his office has been selected by reason of his great qualities, by reason of his unusual capacity, by reason of his recognized intelligence, by reason of his known devotion to the public welfare.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I do.

Mr. POMERENE. The amendment as proposed extends the terms for a period of six years. Am I right in assuming that if the amendment should be adopted at some period during the ensuing term—that is, the term after March 4—the amendment would not extend that particular term of office to six years?

Mr. CUMMINS. I think the Senator is right in so assuming.

Mr. POMERENE. That was the construction I placed upon it, but I confess that it is open to some little doubt.

Mr. CUMMINS. I think when the Senator looks at it carefully he will find there is no real doubt with regard to the construction of the joint resolution in that respect. It would not extend the term of the incumbent.

Mr. POMERENE. So it would apply only to an election after the amendment had gone into effect and not to the term of office at the time it was adopted?

Mr. CUMMINS. The Senator is quite right.

I have described in a very meager way the man who ought to be elected President of the United States, and I am very glad to say that the history of the American people furnishes us many instances in which such men have been elected to the high office. We will all agree, therefore, that this man, so equipped and so invested with this power, ought to be as free as possible from all the influences that would tend to divert him or withdraw him from the path of duty. He ought to be as free as men in a world like ours can be to discharge his duty, having no other thought save to faithfully and impartially execute the laws of the land and to thus advance the general interest.

He enters the office, we will assume, with these high ideals and these noble purposes. Instantly he begins to think—I use the word "instantly" in a comparative sense—of the time when he must be renominated and reelected. At once he begins to wonder whether the American people will by renominating him and reelecting him approve what he is doing or whether by refusing a renomination and a reelection they will disapprove what he has done.

Mr. CRAWFORD. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I do.

Mr. CRAWFORD. May I ask the Senator from Iowa whether he thinks the fact that the President does realize that what he does must meet with the approval of the American people or meet with their disapproval is a bad influence hanging over him? On the other hand, is it not one of the strongest influences that can exist to give him a high purpose so his conduct may meet the approval of his fellow citizens?

Mr. CUMMINS. As is usual in every debate here, I have been asked to go forward to a part of my argument which I have not yet reached. The Senator from South Dakota must have realized that I intended to say something with regard to that phase of the subject before I finish, and I will deal with it as frankly and as candidly as it is possible to do.

I answer the question of the Senator from South Dakota at once by saying that the desire for the approval of good men is a motive for upright conduct. No one can question that conclusion.

But, Mr. President, I am not prepared to say that it is the most powerful or pervasive influence that can surround an occupant of the office of President of the United States, nor that it is the influence that always commands the conduct of a President or any other official of this or any other country.

As I was remarking, it is the most natural thing in the world that the moment the President is embarked upon his office he begins to think of the future. He begins to plan for reinstallation in the same office at the end of the term which he is serving. I am not criticizing anybody for so thinking It is just as inevitable as it is to breathe. We can not divest ourselves of these natural impulses, and, therefore, the very best man in the world is susceptible to the influence I have just suggested.

He begins to make his appointments. Do you think that it is possible for any President of the United States, I care not how men may have idealized him, I care not how upright his instinctive purposes are, to keep his eye single upon the public welfare in the selection of men who are to cooperate with him in the maintenance of the Government and forget his ambitions?

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield.

Mr. BORAH. If we are to assume that the basis of correct conduct of this country is in accordance with the consensus of opinion of 90,000,000 people, then the thing which he ought to do is to keep his mind attentive upon the thoughts and views of that 90,000,000 people in order to know that he is serving the public.

Mr. CUMMINS. Undoubtedly, Mr. President. The Senator from Idaho has stated a fundamental proposition. That is the very thing that we desire to accomplish. We want him free from every disturbing interest and every diverting ambition so that he may look upon the good of these 90,000,000 people and look upon nothing else. We do not want him to be recalling to his mind the convention that comes near the end of his first term. We do not want him to be considering how he may secure delegates to that convention. We do not want him to be remembering how efficient a postmaster may be, or a marshal may be, or any other officer necessary to carry on the operations of the Government may be. We want him to remember just one thing, and that is that he has the laws of this country to execute, that they are made, or ought to be made, for the welfare and the benefit of all the people, without any undue benefit or advantage to any one of them. It is not for him to usurp the power or the jurisdiction of Congress. It is for him to take the laws which Congress has made and the Constitution which the people have made and with them protect and defend all the people of the United States without any discrimination whatsoever; and what we desire I am sure is to so change our Constitution that the President may be turned aside in the least possible degree from this high performance of his duty.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. CLAPP. The Senator from Iowa recognizes, I take it, that there is as a part of our condition now a force that is prone to secure policies that are adverse to the best interests of the entire public.

Mr. CUMMINS. I think that there are such influences surrounding all men.

Mr. CLAPP. If it is true that a man in that office can not keep his eye off from the advantage that comes to him from the influence of his power in the matter of again meeting the approval of the people, and it is necessary to withdraw his vision from that line of advantage to himself by making a prohibition against his again asking the approval of the people, is he not of that character, of that make-up, that without any in-

centive left to ask the approval of the people he is liable to yield to the influences of the other character?

Mr. CUMMINS. No; Mr. President.

Mr. CLAPP. I wish that were true.

Mr. CUMMINS. I have cherished the belief through a long life that most people are honest. I have never lost my faith in the desire of the great majority of the people of the country to render justice to their fellow men, and I have not lost my faith in the capacity of the American people to select Presidents who shall execute the laws which their Representatives in Congress pass.

I believe, however, that any scheme of Government in order to accomplish its best results must withdraw all the temptations which can be withdrawn and which are alluring to the human mind and human ambition, so that those whom we put in authority over us may exercise that authority with the least disturbing or improper influence. I do not expect that we will ever be able to organize an ideal Government. I do not expect that we will ever have an ideal President who will do everything that he does with eyes blind to everything save the public good. But I do expect that when we take away from the President of the United States the temptation constantly before him to so use his influence that it will be helpful to him in accomplishing his natural ambition of renomination and reelection he will walk a straighter course than he otherwise would. I believe that most men want nothing but the welfare of the people. I am assuming that we will be able to select such a man. I do not think one needs the lure and the glory of office in order to be well disposed toward his fellow men. I do not think that a man because he knew he could not be again elected to the office of President therefore he would not consult and be guided by the popular will and the popular good.

Mr. CLAPP. Mr. President——

Mr. CUMMINS. If I thought that, then I would despair of my Government under any form, simply because I would believe that no man could be selected from our midst with virtue enough to exercise these powers. I yield to the Senator from Minnesota.

Mr. CLAPP. I can not say that I share with the Senator in his faith. I go further than the Senator in his faith. I believe that men can be elected, and in the main are elected, who seek to serve the public. But the point I make is that if a man does subordinate his personal interests to the public service along one line of activity, and you close that line and then practically leave open the other line, withdrawing from it any penalty, that man needs as much safeguarding one way as the other. If I felt that I had to lock my barn against a man who might take my horse from the barn, I would feel as against the same man that I should lock my house that he might not take the contents of my house.

Mr. CUMMINS. I do not think the Senator from Minnesota will upon reflection assert that the instance he has just given is parallel with the case we are discussing. Of course, on the same theory we ought to have no law making any act a criminal offense, because we ought to assume that every man would comport himself in accord with the high commands of the best civilization.

We had a day or two ago before us a measure which was intended to limit the rights of individuals to make contributions to political campaigns. If the individual is not to be limited, if society as a whole should not put any restrictions upon its membership, why should we take any of these precautions that are intended to promote public morality?

Mr. CLAPP. If the Senator will pardon me, why we should take them is because there is in society that element which requires this restraint, but what I am complaining of is that the Senator's plan, instead of being the ordinary policy of legislation to impose a penalty for an offense, shuts out one avenue to selfish interests and at the same time opens up a much more dangerous avenue.

Mr. CUMMINS. I know the Senator from Minnesota is opposed to this proposition, honestly opposed to it, and he and I do not weigh these influences in the same scale.

Mr. President, I do not intend, of course, to call upon history to prove what I have just stated. I have neither the inclination to do it, nor have I, as I look at it, the time to do it; but if the Senator from Minnesota, looking back over a quarter of a century, or any other period that he may select from the history of his country, sees in these influences as they now are less injury than though they were removed, and at the same time there were removed or restricted the right of the people to reselect a man to this high office, then he is justified in reaching the conclusion that he has announced. I, for one, do not read history in that way.

I believe that there are so many instances in the past in which the great power which I have so inadequately described has been used for the purpose of securing the favor that was necessary to renomination and reelection, and I have seen so many instances when I thought that public officials had been turned aside from the path of duty which they themselves would have followed had they not been surrounded by others of great influence who had special interests to serve, that, for one, I would rather trust the man with a desire to win public approval without a reelection than to trust him, good as he may be according to the standards of human nature, subject to the influences that I have attempted to describe.

I do not agree that it is necessary, in order that a man shall desire above all other things the esteem of his fellow men, that he must attach that esteem to an office, or that he desires it only as it is to be worked out through the machinery and the manipulations of political organizations in giving him a further tenure in public life. I think it is the commonest and probably the very best attribute of human character that we do desire to stand well with those who are about us, and that we do desire to stand well with them whether we are in office or whether we are out of office. It is the only compensation of public life; it is the only real compensation of any life to win the good will and hold the good will of our fellow men.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I do.

Mr. CLAPP. I simply desire to say that at the proper time, far less adequately than the Senator from Iowa, I shall use that as one of the arguments why, in my judgment, this joint resolution ought not to be adopted. One of the fundamental thoughts with me in this connection is the very thought that the Senator has emphasized so strongly and clearly.

Mr. CUMMINS. Mr. President, if I believed that a President of the United States, elected to that great office without any hope of renomination, would fall more easily under vicious influences, and could be persuaded more easily into wrong paths, than though there were before him the hope of a renomination and reelection, I would not be for this joint resolution. It depends, therefore, wholly upon our estimate of the motives which keep men most truly to the faithful performance of a public duty. I think that, upon the whole, will be accomplished more certainly and more perfectly with a limitation to a single term than if the incumbent of the office knew that he could be renominated and reelected, and knew further that he must be renominated and reelected, or else suffer the inference of a public censure.

One more suggestion, Mr. President, and then I shall have finished.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. Yes.

Mr. McCUMBER. If I understand the Senator's position correctly—and it appeals to me as being a splendid position—it is that we must assume generally that men intend to be honest; and, assuming that we will elect honest men to the Presidency, it needs no inducement of a second term to keep them honest. On the other hand, there may be a temptation in the shape of a second term for them to step aside from the straight path of integrity.

Mr. CUMMINS. The Senator from North Dakota has stated my position very accurately.

Mr. BORAH. Mr. President, if the Senator be correct in his position, then this amendment would seem to me to be wholly unnecessary. I do not believe that you can assume that a man is going to be honest without making this proposed amendment wholly unnecessary. But he may be honest and still feel responsive to the views and wishes of a majority of his countrymen. No man should regard alone public opinion; but it is hurtful to no man in making up his conclusion to know what a vast body of intelligent people are thinking.

Mr. CUMMINS. But, Mr. President, answering the Senator from Idaho, this is not an angelic world. There is a good deal of strife, a great deal of struggle. There is a vast difference of opinion upon nearly every subject. It is the most natural thing in the world when a President is opposed for him to use all the instruments at his hand to make his fight and to secure that indorsement, which, in the eyes of the world, he must have or stand repudiated among the people. However, Mr. President, I will not go further into that phase of it. Possibly at a later time I may again take it up; but I find myself opposed by, if I may say so, my Progressive friends, or most of them, upon

this proposition. I recognize that; and I now come to them upon their own ground. I suppose that we are all—I am speaking now mainly to the Progressives, because I know I can not assert it of all my Republican friends—in favor of the initiative. We believe that the people ought to have a right to say what their Constitution shall be. I have always believed that our forefathers, not understanding the future temper and spirit of the American people, placed too many obstacles in their path in the way of amending their fundamental law. I myself believe in this joint resolution. I believe it will be better for the people if the President could serve but one term in that office; but even if I did not believe it, it would be my duty to vote for the joint resolution, and it is the duty of every man who has any respect for the rights of the people to vote for it, in order that they may have an opportunity to say whether they want to limit their Chief Executive to a single term.

I lay down as a proposition, concerning which there can not be reasonable dispute, that whenever a respectable proportion of the people of this country demand an opportunity to determine whether a given change shall be made in their Constitution, it is our bounden duty to give them that opportunity. I know that our forefathers held a different view with respect to that subject; I know that they intended to make it almost impossible to amend the Constitution of the United States. I have never sympathized with that view. I have always in my relation to these questions, when I believed that there was a sufficient number of the people who were to be affected by the Constitution, who desired an opportunity to submit the question to a vote, that they should have the opportunity to vote.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. TOWNSEND. I quite agree with the Senator on that proposition, but I was wondering if there has been any manifestation on the part of the people that they want to amend their Constitution in that particular.

Mr. CUMMINS. I am coming to that, Mr. President. There has been a constant agitation upon this subject for 50 years or more. I said it began 125 years ago, and it did; but there has been a constantly recurring demand throughout the country for this limitation during all the time that I have known anything about public life; and it has been but a few days since the Democratic Party—and it comprises about half the people of the United States, and it may happen that in the coming November it may comprise more; at any rate, it comprises a very large and a very respectable element of American life—and that party in the most solemn way possible pledged itself to this principle, representing, as I assume, its membership, and representing, as I know, a vast number of an opposing political faith.

We can not shield ourselves here behind the belief that the people do not want to vote upon this proposition. They do want to vote upon it; and the man who stands here refusing to give them an opportunity to say for themselves what their Constitution shall be and whether they do want to put upon this office the limitation indicated in the amendment, as it seems to me, repudiates the fundamental principle which has attained in the last few years a strong place in the hearts of the people.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. Yes; I yield.

Mr. CLAPP. In the first place, while the Democratic Party embraces a large proportion of the people of this country, the convention of that party, I think, was limited to a thousand or twelve hundred delegates. I must take issue with the Senator as to the demand for this proposed amendment to the Constitution. I know the only time I ever discussed it in my State my opposition to it met with the most decided approval from a vast audience of people. While it is true the subject has been talked of, I do not believe the people are asking for it.

Mr. CUMMINS. It will do no harm to let them say that.

Mr. CLAPP. I was just going to say that I believe in leaving these things to the people and let them come from the people. Fortunately, we have in our organic law a means by which, instead of men initiating a movement of this kind in Congress, the people, if they desire a change in the Constitution, have it in their power to bring it about. Instead of being placed in a position of opposition to the things for which I stand, one of my objections to this very measure is, if there is a demand for it, I believe that it should come from the people, and the people have the means, through their State legislatures, of bringing it about.

Mr. CUMMINS. Mr. President, I know the Senator from Minnesota does not intend that what he has just said shall have the construction that I put upon it, and that I properly put upon it; but nevertheless, if he will remember, he will know that what he has just declared has been the shield behind which the Senate of the United States has for 50 years attempted to prevent certain changes in the Constitution of the United States.

Mr. CLAPP. That has been true; and amid all the problems that confront us the one thing which, in my humble opinion, is a matter of comfort and cheer is that that condition is changing, and that now the people themselves are equipping themselves with instrumentalities and the sentiment for bringing about their own desires in legislation.

Mr. CUMMINS. Mr. President, I have never been afraid of the people. It does not require a great volume of petitions or the action of many legislatures to convince me that a subject which has been one of debate and difference over so long a period of years ought to be settled by the voice of the men and women who are to be affected by it. I can not understand this reluctance to submit the question to the final arbitration of the people of the United States.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield.

Mr. GALLINGER. I did not have the pleasure of listening to all the Senator has had to say on this subject, but I rather deprecate the tendency that has grown up in this body whenever a question is up for consideration to say that "the people demand it." It is sometimes a flippant way of disposing of very important questions. It is not an easy matter offhand to determine whether the people demand things or not. I do not know whether the people have demanded some things that have been done of late years, but I am pretty sure that if they have demanded some things that have been done, they will demand that they shall be undone after a little while. That is my individual judgment.

Now, I hope—and I presume the Senator from Iowa does not need any admonition from me—that this important question that is before the Senate to-day will be discussed on its merits. I am for it. I have believed ever since I began seriously to think about political matters that it would be better if the President had one term of six years. I believe it would remove from our governmental system evils which we have all felt and about which a good many of us have complained. I think that the people ought to have an opportunity, through the legislatures, to express their view and to determine, each for itself, whether or not it is wise to make this change in our fundamental law.

But I rose particularly to say to the Senator that I will take pleasure in voting for this proposed amendment to the Constitution; and I should be glad, indeed, if it could be discussed without calling into the discussion some extraneous matters about which, perhaps, the Senator from Iowa and I disagree and about which, perhaps, there is a very broad difference of opinion in this body.

I thank the Senator for giving me the privilege of saying that much.

Mr. CUMMINS. Mr. President, I have not called into the debate any extraneous matter. During some time I presented my views in regard to the reasons which influenced me and brought me to the conclusion that this country will be more wisely governed if the President is limited to a single term. I was then proceeding to the further proposition that, if there was a sufficient proportion, or a fairly reasonable proportion, of the people of this country who believe that this amendment ought to be submitted for a vote, then we ought to submit it, even though we may not have reached finally and definitely the opinion that it would be wise in its operation. I do believe that, Mr. President, profoundly.

So far as I am concerned, I am in favor of an initiative which would permit a fair proportion of the voters of the United States to send their desires to Congress, and that, upon becoming advised of those desires, it should be our constitutional duty to submit amendments which they believe would better their condition. I for one——

Mr. CLAPP. I favor that proposition.

Mr. CUMMINS. I for one have never believed that the legislature of a State or the Congress of the United States ought to be interposed between the people and their desire to change their Constitution. The legislatures do not make the State

constitutions; the Congress of the United States did not make our National Constitution and has not made any amendments to our Constitution. That power is reserved to the people themselves or to their legislatures in the various States, and there ought to be some easier and more effective way in which those who desire an opportunity to vote upon an amendment to the Constitution may do so.

It is true that the late convention in Chicago—I mean the latest convention in Chicago—did not specifically declare for this limitation; but it did specifically declare that the people ought to have a chance to amend their Constitution whenever there was a fair expression of opinion of their wish to do so.

Mr. CLAPP. Mr. President, no one differs from the Senator on that.

Mr. CUMMINS. And if the Senator from Minnesota believes that the number of voters in this country who desire to amend their Constitution in the way provided by this resolution is so insignificant that it ought not to be heeded, then his position is well taken.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I do.

Mr. WILLIAMS. I very much dislike to interrupt the Senator from Iowa, for I am much interested in what he is talking about; but a moment ago he made the assertion that the latest Chicago convention had declared in favor of making it easier for the people to amend the Constitution. I may be wrong in my recollection, but my recollection is that it declared in favor of making it easy for the people to override the Constitution. I do not remember anything in that platform about amending the Constitution. If the Senator has a copy of the platform I should like a reference to it. It seems to me that it rather declared that the people ought to interpret their fundamental law by plebescites from time to time, and that when there was a difference between the legislative body and the judicial body it ought to be submitted to a popular election to determine which was right. If I am wrong in my recollection, I should like to have it corrected.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I yield.

Mr. BORAH. The convention which met at Chicago a few days ago, to which I suppose reference is made, did declare in specific terms for a more easy way of amending the Constitution. That was separate and aside, I think, from the principle to which the Senator has referred; but the declaration is in the platform, as the Senator from Iowa has stated.

Mr. WILLIAMS. If that be true—and I accept the statement of the Senator from Idaho, because he was one of the ex dei machina of the occasion—then I wish to express my pleasure. It has seemed to me for a long time that our forefathers had made the amendment of the Constitution somewhat more difficult than it needed to be. I do not think it ought to be easy, but I think it ought not to be difficult to the point of impracticability, at any rate.

Now, I should like to ask the Senator from Iowa another question. He has said something about not having Congress propose amendments to the Constitution. Whom would he suggest to propose such amendments? Would he let anybody who wanted to do so propose amendments?

Mr. CUMMINS. Mr. President, it is an academic inquiry made by the Senator from Mississippi——

Mr. WILLIAMS. I beg the Senator's pardon; it is entirely practical, and not academic.

Mr. CUMMINS. Because it is not related to the proposition under consideration; but I have no reluctance about answering. I think that if half the States in the Union, or even less than half, a respectably fair proportion of the States in the Union, were to unite on a proposed amendment to the Constitution and transmit it to Congress, that then it ought to be submitted; and I think, although I do not regard this as so practicable, that if a fair proportion of the voters individually were to sign a petition to Congress and present a constitutional amendment, it ought to be our constitutional duty to submit it without any regard to our own opinion of its merits.

Mr. WILLIAMS. Mr. President, I hope the Senator will pardon me just a moment longer, because this is a matter that I have had at heart for a long while, to some extent. Although I know it is a little off from the main trunk of the Senator's argument, I think the fundamental law of the country, its Consitution, ought not to be capable of being changed too readily, because it would lose its sacredness in the minds of the people. It is not, after all, courts that maintain fundamental law and constitutional restrictions upon the passions of the majority; it is public sentiment. In the long run, courts, with increased and increasing unpopularity, would break down and cease to be bulwarks for the defense of the rights of the minority against the invasions of the majority, and that is the only raison d'etre for a constitution at all. I have sometimes thought that it ought to be easier, and I wish to interject this thought into the debate in order that it may be the cause of further thought to others. It has occurred to me that if a majority of the House of Representatives, constituting a majority in representation of both the people and of the States, followed by a majority of the Senate, constituting a majority of the States, were permitted to submit or to propose constitutional amendments, and then if the proposal were ratified by a vote in the country at large, such that the vote should constitute not only a majority of the people, but a majority of the States, so as to preserve the rights of the smaller States under our system, there would be sufficient difficulty about the operation to preserve the sanctity and sacredness and constitutional fundamental obligations and at the same time enable the Government to adapt itself to changing conditions.

Mr. CUMMINS. Mr. President, I do not differ very widely with the Senator from Mississippi. I do not advocate the submission of amendments to our Constitution without the gravest deliberation. My suggestion was simply to begin the submission by an initiatory petition or by the action of a majority or a fair proportion of the States. There ought to be given, of course, the fullest time for discussion and thought in order that the people shall not hastily and without full knowledge or information express their opinion.

Mr. BORAH. Mr. President——

Mr. CUMMINS. Just a moment. But the Senator from Mississippi and I agree in one thing, anyhow, and that is that the mode prescribed by our forefathers is so restricted that it practically forbids amendments unless there be unanimity among the people and among the Members of Congress.

I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, in reference to the proposition of making it more easy to amend the Constitution and in reference to what the Progressive Party declared at Chicago, I desire to read a paragraph:

> The Progressive Party, believing that a free people should have the power from time to time to amend their fundamental law so as to adapt it progressively to the changing needs of the people, pledges itself to provide a more easy and expeditious method of amending the Federal Constitution.

I desire also, if I may, to insert in the RECORD a joint resolution introduced by the Senator from Wisconsin on the 5th day of August, covering the same subject matter.

The joint resolution (S. J. Res. 131) proposing an amendment to the Constitution of the United States was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

"ART. XVIII. The Congress, whenever a majority of both Houses shall deem it necessary, or on application of 10 States by resolution adopted in each by the legislature thereof, or by a majority of the electors voting thereon, shall propose amendments to this Constitution to be submitted in each of the several States to the electors qualified to vote for the election of Representatives, and the vote shall be taken at the next ensuing election of Representatives in such manner as the Congress prescribes, and if in a majority of the States a majority of the electors voting approve the proposed amendments and if a majority of all the electors voting also approve the proposed amendments, they shall be valid to all intents and purposes as part of this Constitution."

Mr. CUMMINS. I feel very much obliged to the Senator from Idaho for corroborating my recollection of the of the platform recently adopted at Chicago. I am not in harmony with all the parts of that platform, but I am in entire harmony with that part of it which has just been read, and I believe thoroughly in the general direction which is proposed in the resolution referred to by the Senator from Idaho.

Mr. WILLIAMS. I should like to ask the Senator a question.

Mr. CUMMINS. I yield.

Mr. WILLIAMS. Does he or does he not think that any proposition to make the amendment of the Constitution easier is useless if it be accompanied by another proposition, to enable a majority in an election at any time to act as official interpreters of fundamental law? What is the need of making an amendment easier when all you have to do is to get a majority vote in favor of what you and the majority please, regardless of judicial decisions if they have been contra?

Mr. CUMMINS. Mr. President, as is very well known, I am not an advocate of the proposed review of judicial decisions in a popular election. I think it is fundamentally wrong and must result in disaster whenever it is attempted among a people like ours; but that has nothing whatever to do with the question in hand. We have drifted away from the matter, and I bring Senators now back to the last proposition which I made, and I am addressing it directly to those who have agreed with me here respecting public policies. I am simply asking them if they intend to deprive the people of this country of the opportunity to say for themselves whether they want the tenure of a President limited to a single term.

It is utterly impossible, Mr. President, for any man to question the generality of the sentiment throughout the country. I do not mean, now, its universality. I know there is great difference of opinion with regard to this matter, but no man can deny that a very large number of voters of the United States want the term of a President limited to a single term. There may not be a majority of them, but there are enough of them to fairly ask the Congress of the United States that we give them the chance to decide for themselves upon this important matter.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I yield to the Senator from South Dakota.

Mr. CRAWFORD. If a resolution were pending here now proposing an amendment to the Constitution by which the decisions of our Supreme Court could be reviewed by a popular vote—and that is a question that is agitated quite a little just now—would the Senator feel obliged to give such a resolution his support, when his convictions are very strongly against it?

Mr. CUMMINS. I answer that question in this way: For years and years I believed in the sanctity and sacredness of legislative assemblies. I believed there ought to be no constitutional amendment submitted under any circumstances unless that amendment commanded the approval of the required number of the legislative branch of the Government. I have been converted with regard to that subject, and the very men who are standing here opposing this resolution are the men who have converted me. I have come to the conclusion that the initiative is right, and that when a fair proportion of the voters of a State or country ask that a proper question be submitted to them, then it is my duty to submit it and take the consequences, whatever they may be. Therefore I answer the question of the Senator from South Dakota by saying that whenever you bring to me evidence that one-half of the number of voters of this country believe in the proposal to review judicial decisions at a popular election, who are in favor of limiting a President to a single term, I will vote to submit an amendment of that character to the voters of the United States. I am not afraid, as I said before, of the voters of the country. I will trust them with a subject upon which I hold a contrary view just as completely as I would trust them with a subject upon which I was in harmony with them. I do not change my attitude with regard to the rights of the people because they may be for the moment or permanently opposed to my own opinion.

Mr. BRISTOW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I yield.

Mr. BRISTOW. It seems to me that it narrows down, then, to a question of opinion on the part of each individual Senator as to how many people he thinks are in favor of the submission of a certain amendment which might be proposed to the Constitution. Personally I believe that more people in the United States would prefer the Constitution so amended as to recall Federal judges than want it amended as suggested by the Senator from Iowa. I think a great many more people in the country would prefer an amendment of that kind to the one that is now pending. Would the Senator vote for such an amendment if one were proposed?

Mr. CUMMINS. Mr. President, I think the Senator from Kansas would secure an answer to that question if he would introduce a resolution of that character, and then he will discover that in many States a petition signed by 10 per cent—some 8 per cent—of the voters will require the submission of any law without the intervention of a member of a legislature. I think that proportion is too low, but would any of my brother Senators living in a State in which that was the law presume to question the propriety of submitting the law? Now, here we have no proportion. There is no such thing in our Constitution. Therefore we must judge as best we can whether there are enough people in the country who want the chance to vote upon this question to warrant us in submitting it for their determination.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I yield.

Mr. CRAWFORD. For one, I cheerfully concede that should there appear to be a positive, widespread demand among the people of the United States for the submission of such a resolution, and an opportunity to vote upon it, I would not feel, even though not in sympathy with it, that I should arbitrarily interpose my vote as a Member of this Senate against affording to the people such an opportunity; but does the Senator go so far as to contend that in any event the individual judgment of a Senator, as to the propriety of such a resolution, should weigh for nothing in determining whether or not it should be submitted, and in the absence of any convincing proof, at least to him, that there is a firm, widespread, well-fixed demand for an opportunity to vote upon such a resolution?

Mr. CUMMINS. I do not say, Mr. President, that the individual opinion of a Senator ought not to have its proper weight. There is no hard and fast rule that can be laid down for the Government of such a case as this.

I am sure that if I thought the demand was general and widespread that I could then subordinate my own opinion freely. If I thought, however, it was limited and uncertain, then I would give my opinion much greater weight, and so I think the Senator from South Dakota and I do not differ very much.

Mr. CRAWFORD. I agree with the Senator on that.

Mr. CUMMINS. Now, I ask the Senator from South Dakota this question. I do not know whether he was here during the early part of my remarks——

Mr. CRAWFORD. I think I have heard most of them.

Mr. CUMMINS. I assume he agrees that the Democratic Party represents a reasonably large proportion of our people, and I assume he agrees that the Democratic Party is composed of people whose views are entitled to fair consideration. Now, let me read to him a recent declaration of that party, which represents, I suppose, about one-half of all the voters in the United States:

> We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

Mr. CRAWFORD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I do.

Mr. CRAWFORD. In regard to the declaration just read, I wish to say this to the Senator, that there has been nothing in my personal observation or experience during almost a generation, now, which leads me to believe that there is any widespread, well-founded demand for this proposed change in the Constitution. I never have, although of course such may have occurred, observed any demand for it in the discussions in this Senate until this joint resolution was introduced a few weeks ago. During the three years I have been here we have discussed nearly every possible phase of amending and changing the organic law, but not this. I have never seen a petition for any such change anywhere. I have never received a letter from a single constituent suggesting such a change, and I am constrained to believe, Mr. President, that the 1,000 delegates representing Democracy had in their minds the stalking of a great vote throughout the United States just now, and it was that apprehension that gave birth to this resolution and gives it rather undue prominence just now.

Mr. CUMMINS. Of course the last hypothesis of the Senator from South Dakota is impossible. It is not founded upon the history of this resolution.

Mr. WORKS. Mr. President, as the author of this resolution, which is now before the Senate, I have had some occasion to know something about what public sentiment is on this question. I am somewhat astonished that the Senator from South Dakota should not have heard from anyone that he was in favor of this change in the Constitution. I think I can say with perfect assurance that there is a very widespread desire on the part of the people of this country that this amendment should be adopted, and I say that from communications I have had from different parts of the country, from all classes of people, who upon seeing that such a resolution had been offered here have written to me on the subject expressing their views with respect to it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield to the Senator.

Mr. GALLINGER. As I said a moment ago, we are getting rather in the habit in our discussions of announcing that the people want certain things. I do not think there is any very tumultuous demand for this change in the Constitution. I unreservedly announced in the time the Senator so generously awarded me that I was for it, but I do not know of any other citizen in my State who is for it. I have not heard from a single constituent of mine in favor of it; it may be that when, as it probably will be, it is agitated in conservative New England, the people will line up for it, but I committed myself to it as one citizen of my State, not knowing that there is another citizen in the State who desires it.

If the Senator will permit me just one word further, I am going to repeat what I said a moment ago. Perhaps it is educational and illuminating in its way that extraneous matters are being brought into this discussion.

We are not going to amend the Constitution by a referendum vote. We can not do it. We can only amend it in the old-fashioned way, and that is what this resolution proposes to do, and I think we ought to focus our minds upon that fact, that if this is brought about the probabilities are that it will be brought about in the same way that other amendments have been made to the Constitution in the history of our Government.

Mr. CUMMINS. Mr. President, I agree that it has become the habit of the Senate to drift away from the very point at issue. Sometimes I have deplored the habit; sometimes I have helped to fasten it upon the Senate. I intend now, however, to offend no longer against what I recognize as a proper rule, and I shall endeavor not only to adhere to the very question itself, but to bring my observations to a speedy end.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. STONE. What I propose to say is not specially pertinent to the exact question before the Senate, but when the Senator from South Dakota——

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri has the floor.

Mr. STONE. Just a moment. When the Senator from South Dakota referred to that clause in the Baltimore platform—really I believe it was the Senator from Iowa who read from it——

Mr. CUMMINS. I read it, Mr. President, as indicating that there was a demand in this country for this amendment.

Mr. STONE. So I understood; as contributing a little bit to the literature or history of this movement for one term for President I call attention to this fact, for it is a fact, that in 1896, when Mr. Bryan was made the candidate of the Democratic Party, in his letter of acceptance, he stated that if elected he would serve but that one term. I know he did me the honor at that time of reading his letter to me before he gave it out, and I rather protested against the insertion of that clause, thinking that he was unnecessarily depriving the country of four years more of useful service. As it turned out, of course, it did not make any particular difference. But it will be recalled that Mr. Bryan is the originator in these latter years of this movement for a one term and did it under exceptional circumstances.

Mr. PAGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Vermont?

Mr. CUMMINS. I yield for a question only.

Mr. PAGE. I thought the Senator from Iowa had resumed his seat or I would not have risen. The Chair recognized the Senator from Missouri, and the Senator from Missouri said he would yield to me in a moment, and I rose for the purpose of asking unanimous consent.

Mr. BORAH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Idaho.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Arizona?

Mr. CUMMINS. I yield.

Mr. ASHURST. There is a very severe storm raging outside. We over here are unable to hear what is being said on the other side of the Chamber.

Mr. BORAH. Stop the storm.

Mr. ASHURST. Senators are either not talking loud enough or are casting some reflections on the Democratic Party.

The PRESIDING OFFICER. The Chair finds it difficult to control the storm inside and can not, of course, control the storm outside.

Mr. BORAH. I want to say just a word, not in criticism of the Democratic Party, but in the way of a compliment to it. It ought to be borne in mind that while the Democratic platform covered this subject, the Democratic candidate's letter or speech of acceptance did not cover it, and that while the platform spoke, the silence of the candidate would seem to indicate that there had been at least a yielding to better judgment after the platform was adopted.

I also wish in this connection to call attention to some language of the candidate on the Democratic ticket upon this subject, not in the way of criticism, but because I particularly approve of this language, if the Senator will yield while I read a paragraph.

Mr. CUMMINS. Certainly.

Mr. BORAH. I read:

> Administration is something that men must learn, not something to skill in which they are born. Americans take to business of all kinds more naturally than any other nation ever did, and the executive duties of government constitute just an exalted kind of business; but even Americans are not Presidents in their cradles. One can not have too much preparatory training and experience who is to fill so high a magistracy. It is difficult to perceive, therefore, upon what safe ground of reason are built the opinions of those persons who regard short terms of service as sacredly and peculiarly republican in principle. If republicanism is founded upon good sense, nothing so far removed from good sense can be part and parcel of it. Efficiency is the only just foundation for confidence in a public officer, under republican institutions no less than under monarchs; and short terms which cut off the efficient as surely and inexorably as the inefficient are quite as repugnant to republican as to monarchical rules of wisdom. Unhappily, however, this is not American doctrine. A President is dismissed almost as soon as he has learned the duties of his office, and a man who has served a dozen terms in Congress is a curiosity.

Furthermore, the distinguished writer says:

> If there be one principle clearer than another, it is this: That in any business, whether of government or of mere merchandising, *somebody must be trusted*, in order that when things go wrong it may be quite plain who should be punished. In order to drive trade at the speed and with the success you desire, you must confide without suspicion in your chief clerk, giving him the power to ruin you, because you thereby furnish him with a motive for serving you. His reputation, his own honor or disgrace, all his own commercial prospects, hang upon your success. And human nature is much the same in government as in the dry-goods trade. *Power and strict accountability for its use* are the essential constituents of good government.

That is a wise statement.

> A sense of highest responsibility, a dignifying and elevating sense of being trusted, together with a consciousness of being in an official station so conspicuous that no faithful discharge of duty can go unacknowledged and unrewarded, and no breach of trust undiscovered and unpunished—these are the influences, the only influences, which foster practical, energetic, and trustworthy statesmanship.

It seems to me that there is an apparent reason why the distinguished leader of the Democratic Party did not refer to this in his speech of acceptance.

Mr. STONE. I should like to say to the Senator——

Mr. CHILTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and to whom?

Mr. STONE. I simply want to congratulate the Senator from Idaho on his habit of carrying around with him the works of Dr. Wilson.

Mr. BORAH. I make it a point to gather wisdom from all sources.

Mr. CUMMINS. In the quest for wisdom the Senator from Idaho has gone far afield in this instance, in my opinion.

Mr. NELSON. Will the Senator allow me a question?

Mr. CUMMINS. Certainly.

Mr. NELSON. How does the Senator from Iowa account for the distrust of the common people that is implied in this opposition to his proposed constitutional amendment?

Mr. CUMMINS. I have been vainly inquiring about that for the last hour. We are accustomed to hear their intelligence and their patriotism vaunted, and I am vaunting it still. What I want is to try to refer to it and ascertain whether the voters of this country want their Presidents to be limited to one term, as proposed by this amendment.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from West Virginia [Mr. CHILTON], who has frequently addressed the Chair for the purpose?

Mr. CUMMINS. I yield to the Senator.

Mr. CHILTON. I wish to ask the Senator from Idaho a question. I did not understand from what authority he was reading.

Mr. BORAH. I was reading from Dr. Woodrow Wilson's work on Congressional Government.

Mr. CHILTON. I merely wished to suggest that I apprehend the book from which he was reading was written possibly before the present administration of the Government began.

Mr. BORAH. Possibly so.

Mr. CUMMINS. I can not enter upon that controversy.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Texas?

Mr. CUMMINS. I do.

Mr. CULBERSON. If the Senator will yield a moment, I desire to remind the Senator from Idaho that while Gov. Wilson did not discuss this plank of the platform in his speech of acceptance, he said distinctly the next day that he indorsed the platform and he would take up the other matters in due time.

Mr. BORAH. I believe that the reflections of the governor as expressed here in this book are worthy of consideration. He may yield to his platform, but I doubt if it followed his judgment upon that.

Mr. CUMMINS. May I ask the Senator from Idaho whether, in the letter of this distinguished personage or in his views in regard to social, economic, and industrial reforms, he has not put forth in his time a great many suggestions with regard to the rights of man and the way to work them out in government, and I should like to know whether he rests as confidently upon other prominent expressions as he does upon the expression he has just read?

Mr. BORAH. I am not familiar with all of Gov. Wilson's views, but I will say that outside of a few lines in his speech of acceptance I could find no fault with his speech of acceptance. I could agree to it, outside of his statement of a tariff for revenue only, from beginning to end, so far as I now recall it.

Mr. CUMMINS. I did not refer to his speech of acceptance. I referred to his former writings. I am not disparaging them at all, but I do not believe the Senator from Idaho will bring them forward to support his views upon many of these subjects.

Mr. WILLIAMS. Mr. President——

Mr. CUMMINS. Mr. President, may I be allowed to finish?

Mr. WILLIAMS. I would not keep the Senator from doing that, but I have been very much tempted to ask just one question, if the Senator will permit me.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. CUMMINS. I yield.

Mr. WILLIAMS. I wish to ask the Senator from Iowa if it were thought by the Senator from Idaho that the present candidate of the Democratic Party had perhaps overwritten himself in some respects and written things at one time which later on he would not have rewritten, whether he has fallen much behind the measure of recklessness of expression in public writing that has actuated the literary career of the gentleman who presided spiritually as its hero over the destinies of the latest convention at Chicago. I should like to ask him if he ever read any of the opinions of dead Presidents that were written by the ex-President. I should like to know if the Senator from Iowa thinks the Senator from Idaho thinks that Woodrow Wilson has ever written any more carelessly than Theodore Roosevelt?

Mr. CUMMINS. I would have to refer that to the Senator from Idaho.

Mr. BORAH. I wish to say, first, I did not read the excerpt as assuming that Dr. Wilson had changed his mind at all, and certainly I did not read it assuming that he was writing recklessly, because I agree with what he says. I read it in support of the position which I take on this matter, and for the further reason that, in my judgment, when he did not touch upon the subject in his letter or speech of acceptance in all probability he was not thoroughly in harmony with it, that he did not write recklessly nor speak recklessly.

Now, so far as a comparison between the two gentlemen is concerned, comparisons are sometimes odious; but if the Colonel has written some things which he ought not to have written, he has written a vast amount of material which it is altogether to the benefit of the country that he did write.

Mr. WILLIAMS. And so with Gov. Wilson.

Mr. BORAH. I did not take any other view, and I trust the Senator from Mississippi will not become oversensitive when I quote the governor of New Jersey upon a question on which I agree with him.

Mr. WILLIAMS. The other man—Gov. Wilson—has never written a personally unkind or unjust thing. He never accused Thomas Jefferson of cowardice. He never accused James K. Polk of being unknown. He never accused Tyler of being dishonest, and he never accused the balance of that long line of Presidents of being everything else disreputable.

Mr. BORAH. The Senator ought not to touch too heavily upon the subject of what Col. Roosevelt said about Thomas Jefferson. Gov. Wilson has said about Thomas Jefferson practically the same thing Col. Roosevelt said about him. He said he was a negative character touching a philosophy in which he did not believe because it was popular. That is the substance of his statement.

Mr. WILLIAMS. Ah, that is the substance put upon it by the Senator from Idaho.

Mr. BORAH. I can read it:

> The difference between Mr. Jefferson and Gen. Jackson was not a difference of moral quality so much as a difference in social stock and breeding. Mr. Jefferson, an aristocrat, and yet a philosophical radical, deliberately practiced the arts of the politician and exhibited oftentimes the sort of insincerity which subtle natures yield to without loss of essential integrity.

Mr. WILLIAMS. That is not what Roosevelt said. He referred to him in so many terms as being timid and as being effeminate and as being various other things. In fact, I have long ago offered a chromo, and I will give it to the Senator from Idaho willingly, and pay $2.50 for it——

Mr. BORAH. I hope the Senator's picture will accompany it. That will make it a memento worth preserving.

Mr. WILLIAMS. And I will present him a chromo for any quotation from the ex-President, Mr. Roosevelt, regarding any President who ever sat in the White House, except Abraham Lincoln and himself, that was complimentary at all.

Mr. CUMMINS. Mr. President, I intend very quickly to leave the field to my distinguished friend from Idaho and my friend from Mississippi. I regret that we have drifted so far from the question under consideration, but possibly the voyage may not be barren of result.

I believe in the resolution that has been reported by the Judiciary Committee. I believe that a President without the allurement of a second term, without the temptation to exercise the power with which he is invested for any other purpose save the welfare of the people, will render a higher and better and more efficient service than one who is surrounded with all the influences that the development of this time can create and which tend to turn him aside from the path of his duty.

I believe that there is a sufficient demand on the part of the people of this country to warrant the submission of this amendment for their consideration, for their action, and I earnestly hope that the resolution will receive the approval of the Senate of the United States.

Mr. WILLIAMS. Mr. President, I wish to give notice that I shall offer a substitute for the joint resolution of the Senator from Iowa. I shall read it now and ask that it be pending to be offered at the proper time.

> The executive power shall be vested in a President of the United States of America. The term of the office of President shall be four years. He shall be re-eligible for one additional term of four years and not thereafter re-eligible at any time. No person who has held the office, for any term or fraction of a term under the Constitution and laws made in pursuance thereof shall be re-eligible beyond his second term or term and a fraction of actual service.
>
> The President, together with a Vice President chosen for the same term, shall be elected as follows:

I wish to say a few words in justification of offering the amendment.

As well as I have been able to understand the thoughts that moved our ancestors when they left the question of the re-eligibility of the President indefinite, as they have done in the written word of the Constitution, it was that every man who was a delegate to the constitutional convention realized that the new Government had to be standardized and stabilized, and, as the French would say, "taught to march." Every man realized that the first President of the United States was going to be George Washington, a man of remarkable firmness and stability of character, coupled with an equally remarkable unselfishness and patriotism.

When the first news of the draft of the new Constitution reached Mr. Jefferson in Paris, where he was then United States minister plenipotentiary, there were several things which he found objectionable. Amongst others that there was no bill of rights, and amongst still others that there was no limit put upon the indefinite reeligibility of the President. First, then, there was no proper guarding of the rights of the individual from all government. He insisted, therefore, in his letters to his friends at home—and it was upon his suggestion that the concessions were made whereby the result was attained through

proper amendments—that there ought to be within the body of the instrument itself a bill of rights retaining, preserving—buttressing, rather—the rights of the individual himself against all government; freedom of speech, freedom of religion, freedom of the press, freedom of associations, freedom from unreasonable search, freedom from causeless arrest, and the whole body of things familiarly known to us as subjects of a bill of rights.

He insisted also that there should be a direct and express reservation of the rights not granted or delegated to the Federal Government, and in one of his metaphysical moods he suggested that while he wanted the new Constitution adopted anyhow, even with its faults, because he wanted the American colonies to be in a union with one another, and to have the power to regulate and restrain trade, and to furnish a united front in the international world, in order to acquire at once the Constitution and Union, and at the same time not to have this rather undemocratic instrument as it was without the first 10 amendments permanently established with its undemocratic features incurred, it would be well that 9 States should ratify the Constitution, which under the terms of the Constitution would establish the Government, and that the other 4 States should withhold their ratification until these amendments demanded by them as conditions of ratification were adopted.

Then he added his expression of disagreement with the indefinite reeligibility of the President. He called attention to the fact that in all past history popular government had been overthrown in a majority of cases by the people themselves, who were, if I myself may so express it, "gone hero worshiping." No unpopular man ever overthrew any popular government. No popular government except by conquest or something of that outside sort was ever overthrown except by the people themselves, when the people themselves chose to make a god of a man. But he finally surrendered upon that particular point because he himself said—I am not quoting him expressly; I wish I could do it right now; I wish I had his words before me—because he said "the august personage" who "will be our first President" will not abuse the authority which will be conferred upon him nor fail properly to use the opportunity that will be given him.

He looked forward patiently for George Washington with his august unselfishness and his usual patriotism to fix the Government in its ways and then to set the example of self-denial from continuance in office after the great inaugurating which he alone could be trusted to do had been done. It might be possible in Jefferson's opinion that it would be necessary that Washington might be elected more than once or more than twice or a great many times, until the Government was "taught to march," and then he expressed the hope that after Washington's public service and the necessity of his service had expired, an amendment would be adopted which would forbid indefinite terms to future Presidents and fix a period beyond which they could not be reeligible.

I need not say that all this reasoning, which I have merely paraphrased, was sound reasoning. The history of the world shows that republican institutions everywhere where not overthrown by outside pressure have been overthrown by the people themselves, either seeking order through strong dictatorial authority to correct internal disorder or blindly making an emperor or dictator of some popular hero. Thus they themselves destroy themselves in destroying or voting away their own liberties.

In his old age Thomas Jefferson wrote a letter in which he regretted that indefinite reeligibility still existed, but admitted that perhaps after all the actual condition of things—the actual working system as historically evolved—was better than it would have been with an express inhibition of reeligibility after a fixed period, because George Washington had set an example, and such was the reverence in which the American people held him that no other man, unless a very audacious one, would ever fail to follow in his footsteps. Then, modestly referring to himself, he himself when his time came, after having received the addresses of some five or six State legislatures begging him to run for a third term, had done his best to add what authority his example carried to the authority of the example of George Washington.

Jefferson's expectation that there would be nobody with audacity enough to try to go outside of what had become the unwritten law of the American Republic—an election to two terms and no more—a rule established by the example of Washington, fortified by Jefferson's own example, to be still further fortified later on by the example of Andrew Jackson, and still further fortified in our day by the example of William McKinley, has not been entirely justified. There have been in our history two men who have had the audacity to attempt to violate the unwritten law, who have had the audacity to treat it with contempt. One of them was Gen. Grant, who was rebuked by his own party and not permitted to carry the matter any further—a great man, patriotic, true, but a soldier, and not a statesman; "overpersuaded" by the politicians who surrounded him, who themselves wanted to govern the country once more under a third administration of his. I verily believe that he subsequently regretted that he had permitted his name to be used in that way.

The other is rather a recent instance. I do not care to go into it, because it might arouse factional debate; but it is the instance of a man, at whose audacity in any particular case no man need marvel, because audacity is his habitual trait of mind. As Ed. Carmack once said of him, he is like a race horse in Tennessee, whose owner said, "His natural gait was running away." [Laughter.] He, too, has undertaken to violate the unwritten law of the Republic, after having publicly confessed its obligation and his own subjection to it. I think, while it was found exceedingly difficult to prevent a man of the heroism, patriotism, magnitude of character, and great popularity of Gen. Grant from succeeding in consummating the violation of the unwritten law, it will not be found at all difficult to prevent this gentleman from doing so.

I think the amendment which I propose to offer will cure the evil of apprehended danger from ambitious though popular men better than the amendment proposed by the Senator from Iowa [Mr. CUMMINS]. I think that, even if it did not furnish a better and more satisfactory cure, it would be more apt to be adopted by three-fourths of the States, because it expresses in written language only "the unwritten law" of the Republic, something that nearly everybody has learned to revere and love, because it has been based, unwritten as it is, upon the example of the greatest and truest and purest and least selfish, most patriotic, and most revered Americans during the entire course of our entire history, as well as upon the written warning of Abraham Lincoln, who did not live to confer upon his country the additional service of another example of self-abnegation.

The people are acquainted with the idea of my proposition. The idea is popular amongst them. It gives a President an opportunity to test the sense of the people regarding his administration. In a great majority of cases the people have reelected their Presidents a second time. I have heard it said that that was generally done because the President in power could reelect himself. I deny that. John Quincy Adams was a very able man. He did not, because he could not, reelect himself. Martin Van Buren was the most skillful manipulator, and what we would call now "political boss," of his day, and he was the legatee of all-powerful Andrew Jackson, but he did not reelect himself, though he tried it with all his might and all his patronage. Arthur, the most elegant, well-bred, courteous, and suave of men, did not reelect himself nor even renominate himself. Hayes could not do it; did not even try to do it. A majority of the Presidents have been reelected because a majority of the Presidents have deserved to be reelected. That is the honest truth of Presidents of both parties. It is a tribute to the American people that 27 men, I believe, now, have sat in the White House. I may be a little off in my ready reckoning, but in all the one hundred and thirty-odd years of the life of this Republic, with these 27 Presidents, there has never sat in the White House either a fool or a personally dishonest man. There is no line of 27 kings anywhere in the world since the world began that can furnish a parallel to that.

But there is danger in indefinite reeligibility because, as Mr. Jefferson said and as all men of sound sense must say—

> Indefiniteness of self-succession in the Executive office leads gradually in the case of popular men, who are ambitious and unscrupulous, to life tenure, and life tenure leads gradually to hereditary succession.

The more popular and the stronger and the greater the abilities of the man, the more the danger to popular institutions, to free institutions, under republican forms that man is, unless he be not only great and wise and strong and popular, but be self-restraining, unselfish, and unambitious at the same time.

Washington, in the very beginning of the Republic's existence, could have wrecked it as a Republic; there can be no doubt of that, and if he had been twice as popular as he was he could have wrecked it twice as easily. The thing that is most dangerous to the people themselves is always the human thing that the people worship. An unworshiped, an unpopular

man, could not do any harm to popular government anywhere. It is only when, being fed upon the good will of the people, he has by long tenure fortified himself to such an extent that he is capable of getting along without their good will any further that he becomes dangerous. This is the answer to Cassius's question, "Upon what food hath this our Cæsar fed?" and so forth.

The people of Rome were not very far wrong when they selected Julius Cæsar as a representative, and the best living representative, of popular institutions and popular aspirations in his time and day. He was infinitely preferable to the plutocracy represented at that time by the Roman Senate, for it was not any longer even a patriciate; it had become a plutocracy, the most contemptible of all forms of government, and yet I think that few people will be found to deny the fact that in him even they had set up one evil against another, and that their own will had stabbed their own vitals. They had gotten rid of a mean and a contemptible, though oppressive, government, and put in its place a less mean one and a less contemptible one, but an equally oppressive one, not under Julius Cæsar himself, because the man's character was such—magnanimous, forgiving, and broad minded—that while he would have kept all power in his own hands he personally would not have abused it, but in his successors whose life tenures their blind worship of him had made possible. It began earlier with Marius, when he was elected consul the sixth time, the hero of the people, followed up by the election of Julius Cæsar, his party successor in democratic leadership again and again and again. Life tenure for lesser men followed. In Rome it never became an hereditary succession, but the only reason it did not was because the legions took charge of the elections, and made it a military election in the course of time. It lasted as such until the legions even lost virility and there was established the feeble quasi hereditary Byzantine régime.

There ought not to be indefiniteness of succession in Executive office. It does not make so much difference where you put the line of demarcation, only it ought to be prescribed or else understood and fought for. In the Constitutional Convention there was an offer that no man should serve beyond 8 years in succession, and another proposition beyond 12 years in succession. Many propositions were offered, and, in my own opinion, some proposition to limit the indefiniteness of reeligibility would have been adopted except for the fact which I have mentioned. That fact I repeat. There was but one man in America at that day whom all Americans, North and South, equally trusted, and that was George Washington. There was a feeling in the minds of all men that the new Government was an experiment, and if there was any hope for success for it at all it lay in the man whom everybody had concluded to make Chief Magistrate, and that perhaps it would therefore be well to leave an indefinite tenure of office, in order that perhaps even for his lifetime he might rule the destinies of the American Republic. As I said a moment ago, Mr. Jefferson expressed that idea, though not in those precise words, in one of his letters before Washington was elected President. It would be easy, with time for research and the setting forth of the results of research, to demonstrate that many entertained it.

Washington justified their confidence. Lesser men, temporarily equally popular, but more egotistical and more selfish, may not.

"Forewarned is forearmed," except for those "whom the gods first make mad"—those who "rush in where angels fear to tread."

HOUR OF MEETING TO-MORROW.

Mr. SMOOT. I move that when the Senate adjourns to-day, it adjourn to meet to-morrow at 11 o'clock.

The motion was agreed to.

NAVAL APPROPRIATION BILL.

Mr. PERKINS. I present the report of the conference committee on the naval appropriation bill, and ask for its present consideration.

The PRESIDENT pro tempore. The Senator from California makes a privileged report and asks for its present consideration. The report of the committee of conference will be read.

The Secretary read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24565) making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 6, 25, 27, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 58, 61, 62, 70, 71, 72, 75, 76, 78, 80, 83, 86, 91, and 110.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 44, 45, 46, 49, 50, 51, 52, 54, 55, 59, 60, 65, 66, 67, 68, 69, 73, 74, 77, 81, 82, 84, 87, 88, 89, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 115, and 117, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows:

In said amendment, in line 1, after the word "may," insert the words "with his consent"; in lines 5 and 6 strike out the words "grade from which he was retired" and in lieu thereof insert the words "same rank"; in lines 10 and 13 strike out the word "commander" and in lieu thereof insert the words "senior grade"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In said amendment, lines 5, 8, 11, and 16, after the words "commander in chief," insert the words "of the fleet."

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In said amendment, in line 2, after the words "United States," insert the following: "As amended by section 16 of an act entitled 'An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States,' approved March 3, 1899"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In said amendment, in line 6, after the word "received," insert the words "except pay and allowances for the unexpired period not served"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In said amendment strike out the following words: "such island possession of the United States as in his judgment may be best adapted to the permanent care and segregation of such sufferers," and in lieu thereof insert the words "the island of Culion, in the Philippines"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In said amendment strike out the words "and forty-three" and "two hundred and fifty"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In said amendment strike out the following words: "and sixty-seven" and "seven hundred and seventeen"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: Strike out all of said amendment except the following, which is retained as a separate paragraph:

"The Secretary of the Navy is hereby authorized to exchange such quantities of potassium nitrate now in store as may not be needed in the manufacture of black powder for sodium nitrate of equal value for use in the manufacture of smokeless powder."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: Strike out all of said amendment and in lieu thereof insert the following:

"That the balances of appropriations unobligated on January 11, 1912, made for the naval service under the headings 'Ammunition for ships of the Navy,' 'Fire-control instruments for ships of the Navy,' 'Small arms and machine guns,' 'Torpedoes and appliances,' 'Experiments, Bureau of Ordnance,' 'New batteries for ships of the Navy,' 'Arming and equipping the Naval Militia,' 'Modernizing projectiles,' 'Modernizing turrets of ships of the Navy,' 'Naval Gun Factory, Washington, D. C.,' and 'Battle compasses,' are hereby reappropriated and shall be available for obligation until the close of the fiscal year ending June 30, 1913."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with

an amendment as follows: In said amendment strike out the following: "That $75,000 of said sum, or so much thereof as may be necessary, may be used for the survey, investigation, and report upon coal and coal fields available for the production of coal for the use of the United States Navy or any vessel of the United States," and in lieu thereof insert the following:

"That $75,000 of said sum, or so much thereof as may be necessary, may be used for the survey and investigation by experimental test of coal in Alaska for use on board ships of the United States Navy and for report upon coal and coal fields available for the production of coal for the use of the ships of the United States Navy or any vessel of the United States; and $345,000 of said sum, or so much thereof as may be necessary, shall be used for the coaling station and fuel station at Pearl Harbor, Hawaii."

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In said amendment strike out the words "one on the Washington or Alaska coast"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In said amendment, in line 7, after the word "Hawaii," insert the following: "at a cost not exceeding $1,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In said amendment strike out the word "eighteen" and insert in lieu thereof the word "twelve"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In said amendment strike out the word "thirty-seven" and in lieu thereof insert the word "thirty-one"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with amendments as follows: In said amendment strike out the following: "one shell house, $20,000"; strike out the word "seventy-three" and in lieu thereof insert the word "fifty-three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In said amendment strike out the words "five million one hundred eighty-six thousand three" and in lieu thereof insert the following: "four million six hundred twenty-three thousand three hundred"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: On page 40 of the bill, line 20, after the word "officers," insert the words "of the Dental Corps"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with amendments as follows: In said amendment restore the matter stricken out, with the following amendments: In lines 6 and 9, strike out the word "section" and in lieu thereof insert the word "act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with amendments as follows: In said amendment restore the matter stricken out, with the following amendments: Strike out the word "ten" and in lieu thereof insert the word "thirty-five"; and on page 45 of the bill, lines 21 and 22, after the word "Vermont," strike out the words "two hundred and fifty" and in lieu thereof insert the words "three hundred"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with amendments as follows: In said amendment, in line 3, strike out the word "two" and insert in lieu thereof the word "one"; also strike out the word "battleships" and insert in lieu thereof the word "battleship"; also strike out the word "each." In line 6 strike out the word "great," and insert in lieu thereof the words "greatest desirable." In line 8 strike out the word "each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In said amendment, in lieu of the matter stricken out and inserted, insert the following: "nine million four hundred and forty-six"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In said amendment, in lieu of the matter stricken out and inserted insert the following: "three hundred and fifty-five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In said amendment, in lieu of the matter stricken out and inserted, insert the following: "seven million two hundred and sixty-five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In said amendment, in lieu of the matter stricken out and inserted, insert the following: "twenty million five hundred and sixty-nine"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In said amendment, in lieu of the matter stricken out, insert the following: "No enlisted men or seamen, not including commissioned and warrant officers, on battleships of the Navy, when such battleships are docked or laid up at any navy yard for repairs, shall be ordered or required to perform any duties except such as are or may be performed by the crew while at sea or in a foreign port"; and the Senate agree to the same.

GEORGE C. PERKINS,
H. C. LODGE,
B. R. TILLMAN,
Managers on the part of the Senate.

L. P. PADGETT,
J. FRED. C. TALBOTT,
GEORGE EDMUND FOSS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. REED. Mr. President, I wish some kind of a statement might be made to the Senate so that we will understand what disposition has been made of the important matters in the naval bill. Of course, amendments referred to by number and by number alone give us very little light. I should like to inquire what was done with reference to the battleship question?

Mr. PERKINS. Mr. President, I will state to the Senator from Missouri that all the amendments except two were previously agreed to. There is no material change in any of the other amendments, except that the provision for two battleships has been stricken out and one battleship provided for of the dreadnought type, costing $7,425,000.

The House also receded from its amendment to the Senate amendment providing for eight submarine torpedo boats instead of four, as proposed by the House. In other respects there has been no material change.

Mr. REED. I thank the Senator.

Mr. THORNTON. Mr. President, I am opposed to that part of the report which agrees to the construction of one battleship only, believing, as I do, that the Senate should insist upon the construction of two battleships. I take no stock in the argument which I have heard advanced that the one battleship, to which it seems the House has finally agreed, would equal in efficiency the two battleships which the Senate amendment had authorized. The Navy Department strongly urges the construction of two battleships, each of which should be equal in fighting efficiency to any ships now constructed and the superior of most of them; and the two battleships provided for by the Senate amendment would have met those conditions.

But the Navy Department does not believe it is practicable to construct now any one battleship that would be equal in efficiency of the two battleships authorized by the Senate bill. The Navy Department has warned us that if we cease for a single year to carry out the two-battleships-a-year program mapped out by the Government naval experts, in the course of a very few years the United States will reach the level of a fifth-rate naval power; and I for one am not willing by my action to contribute to that result.

It seems certain to me that if we expect to retain our prestige as a Nation and to enforce the policies that we have adopted with reference to other nations we must be prepared to keep our Navy up to the standard necessary to maintain that prestige and enforce those policies. According to my idea it would be a blow at the honor of the national flag if we should take any steps in the direction of curtailment of the national defense.

But I must not be understood as criticizing my brother Senators who do not coincide with my own views in this particular matter, for I assume that their motives are fully as good as my own, and least of all must I be understood as trying to place myself on a pedestal of patriotism higher than that which they occupy, for I assume that their patriotism is fully as great as my own. But I am so impressed with the correctness of my position in this matter that, although I have not seen my home nor my family since last Christmas and although I am sure that I love both as much as any Senator here can love his own, I am, if it should be necessary, in order to obtain the authorization of two battleships, willing to stay here until the term of this Congress expires; and holding these views I can not concur in the motion to adopt the report of the conference committee.

Mr. LODGE. Mr. President, it is hardly necessary for me to say that I entirely agree with the views and the criticisms made by the Senator from Louisiana [Mr. THORNTON]. No one can feel more strongly than I the necessity of two battleships annually for this country while the present condition of affairs exists throughout the civilized world.

I think, however, that the controversy which has arisen on this matter at this session has not been without its fruit. I think it has demonstrated that the American people, without regard to party, are in favor of maintaining the Navy at a point where it shall be a complete defense to the United States. I think it is evident from the almost unanimous tone of the press and from everything that can be learned elsewhere that the American people do not wish their Navy to be made the subject of party action by either party. It is a national question purely. The Navy is also our great arm of defense.

Mr. President, nothing can be clearer than that if we do not make up for what we lose this year we shall drop back to a place in which we will not be without peril among the great naval powers of the world. If we allow only one ship this year we must have three next year. The American people will not tolerate neglect of the Navy. A few years ago England undertook to economize with her Navy. To-day, in a panic almost, she is striving with feverish eagerness to recover the ground then lost. So, after dropping away from what she considered essential to her safety—the double standard—she has now doubled her program and is building vessels in the utmost haste.

Those who have followed the course of events in Europe will have noticed that England has withdrawn her Mediterranean fleet to Gibraltar. It is the first time in 200 years that she has taken a backward step in that famous sea, through which lies her route to India, and it was owing to the unwise economies she made by cutting down her naval program. If we cut down ours and build less than we ought to, we shall inevitably find ourselves doing the same thing—striving to make up for the lost time by sudden and extraordinary authorizations. It is much wiser and better to build two battleships every year and keep the fleet at the point at which it ought to be maintained. That, Mr. President, was the feeling of the Senate, as we know by the overwhelming majority in favor of two battleships; it was the feeling of the conferees.

But this session has dragged on to such a point, it is now so late in the summer, that after the recent action of the House the Senate conferees did not feel that they were justified in holding the Congress here longer in the struggle for two ships, because the next naval bill will be with us in four months, and then, if we do our duty, we will make up for what we have lost this year.

It was on that ground that the conferees, after many weeks of conference and contest, finally acceded to the compromise offered by the House. I ought also to point out that the House receded on the Senate addition with respect to submarines. The House authorized four; the Senate doubled the number; and the House acceded to it. Otherwise, as the Senator from California has said, this bill is the same as when partial agreement on the first conference report was made and agreed to here.

It is the same except for one or two slight changes made necessary by the fact that points of order were raised in the House as to new matter introduced in conference. I think the points were highly technical and of no great importance, but certain words were there which had not been used in either House, and those amendments have been modified to meet points of order in the House. Otherwise the bill is just the same as when the Senate agreed to it on the first report of the committee; and, much as I regret that we have not two battleships, I think that the wise thing for the Senate to do now is to accept the report of the conference, which is a complete agreement.

Mr. SMITH of Michigan. Mr. President, with considerable reluctance I find myself unable to agree with my associates on the committee with reference to the conference report. I think the action of the House on the battleship matter is parsimonious and not creditable, and that they will use this as a lever to put upon the country a program utterly insufficient in the future. In order that I may not be drawn into their plans in any way, I am obliged to record my vote in the negative on this question.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. PERKINS. In response to various inquiries, I submit certain tables which I should like to have published in the RECORD.

The PRESIDENT pro tempore. Without objection, the tables referred to will be printed in the RECORD as requested.

The tables are as follows:

Sea strength—June 25, 1912.

In order to answer the frequent inquiries of societies and persons throughout the country interested in the maintenance of the Navy and its relative strength and importance in comparison with foreign navies the following information has been compiled:

SHIPS.

	Vessels built.									Vessels building or authorized.					
	Battleships, Dreadnought type.[1]	Battleships.[2]	Battle cruisers.[3]	Armored cruisers.	Cruisers.[4]	Destroyers.	Torpedo boats.	Submarines.	Coast-defense vessels.[5]	Battleships, Dreadnought type.	Battle cruisers.	Cruisers.	Destroyers.	Torpedo boats.	Submarines.
England[6]	14	41	5	34	[7]72	[7]151	49	65	.....	11	[7]6	[7]19	[7]50	.....	[7]22
Germany[8]	8	21	3	9	36	112	9	15	5	9	3	7	20	.....	[9]17
United States	7	25	.....	11	18	37	20	20	4	5	.....	1	13	.....	19
France	.....	20	.....	22	10	73	157	65	2	7	.....	.....	12	.....	24
Japan[10]	1	13	.....	13	12	56	54	12	2	2	4	3	2	.....	5
Russia	.....	9	.....	6	9	95	14	31	2	7	4	.....	12	.....	8
Italy	.....	8	.....	9	4	23	36	8	.....	8	.....	3	18	39	11
Austria	.....	6	.....	3	4	12	40	6	6	4	.....	3	6	12	6

[1] Battleships having a main battery of all big guns (11 inches or more in caliber).
[2] Battleships of (about) 10,000 tons or more displacement, and having more than one caliber in the main battery.
[3] Armored cruisers having guns of largest caliber in main battery and capable of taking their place in line of battle with the battleships. They have an increase of speed at the expense of carrying fewer guns in main battery and a decrease in armor protection.
[4] Includes all unarmored cruising vessels above 1,500 tons displacement.
[5] Includes smaller battleships and monitors. No more vessels of this class are being proposed or built by the great powers.
[6] England has no continuing shipbuilding policy, but usually lays down each year 5 armored ships with a proportional number of smaller vessels.
[7] Includes vessels of colonies.
[8] Germany has a continuing shipbuilding program, governed by a fleet law authorized by the Reichstag. For 1912 there are authorized 1 battleship, 1 armored cruiser, 2 cruisers, 12 destroyers. Eventual strength to consist of 41 battleships, 20 armored cruisers, 40 cruisers, 144 destroyers, 72 submarines.
[9] $3,570,000 authorized for experiments and further construction.
[10] $78,837,591 authorized to be expended from 1911 to 1917 for the construction of war vessels.

"Vessels building or authorized" includes vessels authorized but not yet laid down, as well as those actually under construction.

The following vessels are not included in the table: Ships over 20 years old unless they have been reconstructed and rearmed within five years; torpedo craft over 15 years old; transports, colliers, repair ships, converted merchant vessels, or any other auxiliaries; vessels of less than 1,500 tons, except torpedo craft; torpedo craft of less than 50 tons.

Vessels undergoing trials are considered as completed.

PERSONNEL.

Rank.	England.	France.	Germany.	Japan.	United States.
Admirals of the fleet	3		2	1	[1]
Admirals	12		4	7	
Vice admirals	22	15	13	17	
Rear admirals	55	30	21	45	[2] 27
Captains and commanders	634	340	321	292	211
Other line officers	2,320	1,547	1,708	1,818	1,522
Midshipmen at sea	540	60	396	154	
Engineer officers	912	505	487	683	
Medical officers	593	[3] 413	304	[4] 368	312
Pay officers	685	216	242	341	200
Chaplains	139				23
Warrant officers	2,528	[5] 2,387	2,644	1,520	683
Enlisted men	106,704	54,734	54,338	42,043	47,847
Marine officers	420		109		319
Enlisted men (marines)	[6] 19,880		[7] 6,070		9,506
Total	135,027	60,247	66,542	47,289	60,651

[1] The Admiral of the Navy.
[2] The United States now has, temporarily, as extra numbers, due to promotion for war service, and to officers restricted by law to engineering duty on shore only, 9 flag officers, 25 captains, 4 commanders, 11 lieutenant commanders, and 1 lieutenant.
[3] Includes pharmacists and apothecaries.
[4] Includes pharmaceutical officers.
[5] Includes adjutants, premier maîtres, and maîtres of all branches.
[6] Includes 3,100 men of the Coast Guard.
[7] Marine infantry and seaman artillery.

WARSHIP TONNAGE OF THE PRINCIPAL NAVAL POWERS.

Number and displacement of warships, built and building, of 1,000 or more tons, and of torpedo craft of more than 50 tons, Dec. 1, 1911.

Type of vessel.	Great Britain.[1]				Germany.				United States.				France.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
Battleships[2] (Dreadnought type)	14	286,350	11	275,000	8	164,140	9	220,000	7	141,650	5	135,000			7	162,868
Battleships[3] (pre-Dreadnought)	41	603,350			21	252,470			25	334,146			20	285,505		
Coast-defense vessels[4]					5	20,273			4	12,900			2	15,400		
Battle cruisers[5]	5	96,850	6	144,300	3	64,364	3	75,000								
Armored cruisers	34	406,800			9	94,245			11	149,295			22	210,301		
Cruisers[6]	72	366,805	19	95,760	36	126,549	7	38,239	18	90,158			10	49,978		
Torpedo-boat destroyers	151	95,747	50	53,804	112	59,018	20	15,000	37	22,062	13	11,981	73	26,905	12	8,769
Torpedo boats	49	11,488			9	1,600			20	3,771			103	9,774		
Submarines	65	21,024	14	12,400	15	5,140	17	10,200	20	4,517	19	9,264	65	21,649	24	13,062
Total tons built and total tons building		1,888,414		581,264		787,799		358,439		758,499		156,245		619,512		184,699
Total tons built and building		2,469,678				1,146,238				914,744				804,211		

Type of vessel.	Japan.				Russia.				Italy.				Austria.			
	Built.		Building.		Built.		Building.		Built.		Building.		Built.		Building.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
Battleships[2] (Dreadnought type)	1	20,800	2	50,800			7	158,000			6	132,620			4	80,000
Battleships[3] (pre-Dreadnought)	13	191,380			9	122,250			8	95,700			6	74,613		
Coast-defense vessels[4]	2	9,086			2	10,380							6	41,700		
Battle cruisers[5]			4	110,000												
Armored cruisers	13	138,483			6	63,500			9	74,020			3	18,580		
Cruisers[6]	12	48,753	3	14,850	9	52,845			4	9,870	3	9,669	4	10,533	3	10,449
Torpedo-boat destroyers	56	21,783	2	1,200	95	36,825	12	12,000	23	7,997	12	8,580	12	4,728	6	4,722
Torpedo boats	54	5,428			14	2,132			36	6,925	27	3,105	40	6,580	12	2,928
Submarines	12	2,354	5	2,166	31	6,648	8	4,800	8	1,715	11	3,760	6	1,686	6	4,200
Total tons built and total tons building		438,067		179,016		294,580		174,800		196,227		157,734		158,420		102,299
Total tons built and building		617,083				469,380				353,961				260,719		

[1] Colonial vessels included.
[2] Battleships having a main battery of all big guns (11 inches or more in caliber).
[3] Battleships of (about) 10,000 or more tons displacement, whose main batteries are of more than one caliber.
[4] Includes smaller battleships and monitors.
[5] Armored cruisers having guns of largest caliber in main battery and capable of taking their place in line of battle with the battleships. They have an increase of speed at the expense of carrying fewer guns in main battery and a decrease in armor protection.
[6] All unarmored warships of more than 1,500 tons are classed as cruisers. Scouts are considered as cruisers, in which battery and protection have been sacrificed to secure extreme speed. The word "protected" has been omitted, because all cruisers except the smallest and oldest now have protective decks.

The following vessels are not included in the tables: Ships over 20 years old, unless they have been reconstructed and rearmed within 5 years; torpedo craft over 15 years old; those not actually begun or ordered, although authorized; transports, colliers, repair ships, torpedo depot ships, or other auxiliaries; vessels of less than 1,500 tons, except torpedo craft; torpedo craft of less than 50 tons.

Vessels undergoing trials are considered as completed.

Relative order of warship tonnage.

Nation.	Present order completed.	As would be the case were vessels building now completed.
	Tons.	*Tons.*
Great Britian	1,888,414	2,469,678
Germany	787,799	1,146,238
United States	758,499	914,744
France	619,512	804,211
Japan	438,067	617,083
Russia	294,580	469,380
Italy	196,227	353,961
Austria	158,420	260,719

VOCATIONAL EDUCATION.

Mr. PAGE. I ask unanimous consent that on Wednesday, August 21, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, and that before adjournment on that calendar day the Senate will vote upon any amendment that may be pending, any amendments that may be offered to that bill—through the regular parliamentary stages—to its final disposition.

The PRESIDENT pro tempore. If the Senator from Vermont will please send the request to the desk, it will be stated.

The Secretary read as follows:

It is agreed by unanimous consent that on Wednesday, August 21, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, and that before adjournment on that calendar day the Senate will vote upon any amendment that may be pending, any amendments that may be offered to that bill—through the regular parliamentary stages—to its final disposition.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Georgia. Yes.

Mr. CUMMINS. I should like to inquire if that would displace the unfinished business if it is not disposed of before that time?

The PRESIDENT pro tempore. The Chair is of the opinion that it would not, being a unanimous-consent agreement.

Mr. CUMMINS. That it would not displace it?

The PRESIDENT pro tempore. That it would not displace it.

Mr. CUMMINS. Then I have no objection.

Mr. LODGE. What is the unanimous-consent agreement which is asked for?

The PRESIDENT pro tempore. The request will again be stated.

The Secretary read as follows:

It is agreed by unanimous consent that on Wednesday, August 21, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of the bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, and that before adjournment on that calendar day the Senate will vote upon any amendment that may be pending, any amendments that may be offered to that bill—through the regular parliamentary stages—to its final disposition.

Mr. LODGE. I have no objection to giving consent to take up the bill, but I think to agree to vote on a bill of that importance on the day we take it up is pressing it rather hard.

Mr. PAGE. Would you prefer to do it on the following day, Senator?

Mr. LODGE. I think the bill is of too great importance to agree by unanimous consent to take a final vote upon it at this session. Here we are in the last days of the session. This is a bill involving the expenditure of $12,000,000——

Mr. SMITH of Georgia. Sixteen million dollars.

Mr. LODGE. Sixteen million dollars, and opening up an entirely new field of United States expenditure.

I am frank to say that I have been so occupied that I do not pretend to understand the details of the bill. I am entirely friendly to vocational education, but that is a very different thing from proposing to embark the Government of the United States in it; and it seems to me that to make a unanimous-consent agreement to vote on it after one day's debate, which may be interrupted and taken up by conference reports—some large appropriation bills are still out of the Senate and the unfinished business is pending here—is asking a good deal.

Mr. SMOOT. I want to call the attention of the Senator from Vermont to the fact that we have out at the present time, either in conference or not reported to the Senate, the following appropriation bills: The Army bill, the Indian bill, the Post Office bill, the legislative bill, the sundry civil bill, the general deficiency bill. And it would be almost useless for us to give unanimous consent now with respect to any bill unless it is provided that its consideration shall not interfere with appropriation bills or conference reports.

Mr. PAGE. I am quite willing to make that provision.

Mr. SMOOT. The Senator could not make that provision if he asks for unanimous consent—as he has already asked for it—because his request is that we shall vote upon that calendar day, and that would be impossible——

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Georgia. I understand objection has already been made. If not, I make it.

The PRESIDENT pro tempore. The Senator from Georgia objects.

Mr. PAGE. I believe it was a distinguished Senator from Arkansas who rose in his place one day and said that he proposed to talk upon a certain bill, which was then pending before the Senate, but not about it. I think I shall have to talk a few minutes upon the joint resolution offered by the Senator from Iowa [Mr. CUMMINS], but not about it.

I think I have been so modest in taking the time of the Senate in the past that it will forgive me if I take a few minutes at this time to state why I ask, as I do, the consideration of my bill at this term.

This bill was introduced into the Senate the first day of the session, in April, 1911, and was referred to the Committee on Agriculture and Forestry. After some little discussion the committee took it up, passed upon it favorably with the exception of a single vote, and directed me, as a committee of one, to take it up with the educators of the country, perfect it as best I could, and try to report the best possible bill at the following December session.

I went home, and sacrificing the greater part of my vacation, I commenced taking up this measure with the educators of the different States. I took it up with every State superintendent of public instruction, every governor, the president of every university, especially the president of all the State agricultural colleges, with the dean of the State experiment stations, with the head of all the schools that were devoted to the education of teachers, and when I came back to the Senate in December I presented a bill that I think was fairly good.

That bill was reported to the Senate on the 26th day of February last, and for weeks and weeks it has naturally been the first bill, or about the first bill, to be considered whenever the Senate has taken up the calendar for consideration. But every time the calendar has been taken up Senators have requested unanimous consent that unobjected bills be considered. I submit to Senators here that in all this time, indeed for the four years I have been in the Senate, I have never made an objection to a unanimous consent.

Mr. President, I feel that it is one of the most important bills before the Senate. I am sure the claim that it is going to take several days to consider it is wrong. I have made diligent inquiry of all the Senators that I thought designed to speak to the bill, and I think I can say truthfully that I do not believe it will take three hours to pass the bill.

I want to say to the Senator from Massachusetts [Mr. LODGE], if he will allow me, that the greatest opposition to this bill came from the State of Massachusetts. Massachusetts is one of the

most progressive States in education in the Union. They have a very able commissioner of education, Dr. Snedden. He was a distinguished educator on the Pacific coast, but Massachusetts was able to overbid the Pacific coast and they drew him to Massachusetts. Dr. Snedden prepared a complete bill which he asked me to substitute for my bill. I could not agree with Dr. Snedden in all the suggestions he made, but finally one of the commissioners of education of the State of Massachusetts, Mr. Prosser, was sent here to Washington to take up this bill with me, and he spent two hard weeks at work in perfecting this bill. The result is, I will say, to the Senator from Massachusetts, that to-day there is no State in the Union that has given a more hearty indorsement to this bill than Massachusetts I wish to read what the commissioner of education there now says about it. I quote from Dr. Snedden's letter, which I hold in my hand:

The bill seems to me to be in excellent shape, and my desire is that it shall be passed as nearly as possible in its present form. Nothing could give greater encouragement to the development of this type of education at the present time in the various States of the Union than the passage of Senate bill No. 3, and I wish you all success in your efforts.

Mr. President, New York next to Massachusetts was, perhaps, the most persistent in its opposition to the bill. One of her Congressmen, Mr. REDFIELD, of New York City, is the president of the National Association for the Promotion of Industrial Education. He came to me and said, "Senator PAGE, if you pass that bill New York will have to pay her share of the taxes, and she will get no benefit from the bill." "Why?" "Because the conditions in New York are such that the city and the rural districts will not agree that the State shall pay any part of the taxes. The result will be that under your bill, which compels the State to pay as much as the Federal Government shall appropriate, we can not receive one dollar. We shall be compelled, of course, to pay the most of any State in the Union."

After some discussion with Congressman REDFIELD we reached the agreement that the bill should be changed to read that instead of the State paying as much as the Federal Government the State or the local community should pay twice the amount paid from the Federal Treasury. That simple change solved the difficulty in New York, and to-day Congressman REDFIELD is offering no objection to the bill so far as I know.

I have put almost a year's time into this matter. I think I have written between 3,000 and 4,000 letters. There have been no protests from any State that have not been most carefully considered. The bill as it is drawn to-day, in my judgment, generally meets the views of educators all over the United States.

There is in this country what is called the National Educational Association. It met in Chicago a few days ago and passed a resolution upon this bill which I should like to read, because this is perhaps the great educational association of this country. Bear in mind, this is an old organization and that this meeting at Chicago was a most important one, being the fiftieth meeting of that organization. Here is their preamble and their resolution:

Whereas vocational choice is inseparable from the several vocations to be pursued;
Whereas the public schools have hitherto left these matters to the solution of the worker and the employer;
Whereas the increasing demands of the occupations of the home, shop, and farm are forcing upon local communities the necessity for some form of vocational training; and
Whereas the United States, in order to protect its population, by maintaining its vigor and morality, to change its large output of raw material into an output of finished product, to make it possible to fight not with armored cruisers but with brain and skilled workmanship, and to maintain its commercial prestige, demands some form of vocational training: Be it
Resolved, That this association recommends to the Federal Government—

I should like to call the attention of the Senator from Massachusetts to that point—

Resolved, That this association recommends to the Federal Government the passage of a law, under conditions clearly recognizing the autonomy of the States in adaptation to local conditions, carrying with it an appropriation sufficiently liberal to render possible its operation, which law shall have for its end the ultimate improvement of the home, shop, and farm through vocational training; that such aid be administered through the United States Bureau of Education, or a similar body; thence through the State board of control of each State to the several local boards of control in the several communities; and that such grants to such local communities and to such States be dependent upon actual results secured in such local communities and such States.

The Grange, which perhaps speaks more authoritatively for agriculture than any other of the organizations of this country, has passed resolutions favoring this bill. Prof. T. C. Atkeson, the overseer of the National Grange, says:

Now, as to the Page vocational education and the Lever extension bill—

I call the attention of the Senator from Georgia [Mr. SMITH] to this particular statement, because it shows the opinion of the Grange to-day, as to the comparative desirability of the bill introduced by him and known in the House of Representatives as the Lever bill and Senate bill No. 3.

Now, as to the Page vocational-education bill and the Lever extension bill. As a member of the National Grange legislative committee I have appeared before committees of Congress in favor of both of these measures. At the last session of the National Grange it adopted this resolution:

"*Resolved*, That the National Grange in forty-fifth annual session assembled does hereby indorse the Page bill, Senate bill, to provide for vocational education in secondary schools, the training of teachers for these schools, agricultural extension, and agricultural demonstration."

The Lever extension bill was not in existence at the time the National Grange met, so the legislative committee was left to use its own judgment as to that matter.

There are a number of considerations connected with the effort to substitute the Lever extension bill for the broader and more comprehensive Page vocational bill which we do not now care to discuss. While we have a pretty clear knowledge of the inside facts, we know of no reason just now why we should question the motives of anyone. Until the National Grange instructs us otherwise the legislative committee will stand pat on the Page bill.

Another organization that appeared here last winter at the suggestion of the junior Senator from Georgia [Mr. SMITH] to speak upon his bill was the State Bankers' Associations of the Northwest. The president of that association was Mr. Joseph Chapman, jr., of Minneapolis. I have under date of August 10 received a letter from him saying that that organization had passed upon the Page bill affirmatively:

I know you will be delighted to know that your letter to me was read in our conference and your speech delivered under date of June 6 was ordered printed in full in our proceedings, and a resolution passed strongly indorsing the Page bill. I will send you copy of the proceedings within two weeks.

I might go on and name organizations all over the country which have indorsed this bill. I want to say to the friends of vocational education that there are no exceptions to the general rule that every organization that has for its object the uplift of the American boy and girl, so far as I know, favors the Page bill.

Mr. President, we are constantly discussing the conservation of our national resources, our mines, our quarries, our forests, our water power. We spend day after day in talking about the conservation of those resources, forgetting that the greatest asset, the greatest resource of the American Nation to-day is her boys and girls, and these are passing into the dump. While the Senator from Massachusetts may say that we ought not to educate them, but that the States ought to do it themselves, I want to say to him that the universal judgment of the country now is that many of the States are too poor to do this work alone. I can point to Senators here who have told me that with the aid offered by this bill they will still be unable to do it, but the bill is so formulated that they may accept or not accept.

Judge McAdoo, the chief magistrate of New York City, says that the criminal ranks of his city are being recruited largely from the boys and girls who at 12, 13, and 14 years of age pass out into the city, some of them as bootblacks, some as newspaper boys, some as messenger boys, some in one occupation, some in another. He says they are drifting into a cheap and oftentimes criminal manhood largely because they are not being cared for in a proper school.

I dislike to take the time of Senators, for I know how anxious they are to close up the affairs of this session and go home, but if you pass this bill through the Senate at this session, it is my purpose to go home and during my vacation take up the bill with the leading educators of every State of the Union and I shall hope that their influence upon their Members of Congress will be such that next winter we may pass the bill through the House of Representatives.

If we can do that we will probably have just one year earlier start on this great measure than we shall if we do not pass the bill at this session. As some Senators here know, I spent a good part of my vacation last fall in this work, and because I am willing to do it again this year, and because I feel very deeply the necessity for this great work, I hope the Senate will take up this measure at this time and pass it.

Mr. STONE. I am afraid the Senator is a little too frank in stating his purpose. Are we to understand hereafter that the letters we get from our constituents about this bill—I am not speaking about its merits—have been written under the persuasive influence of the Senator from Vermont?

Mr. PAGE. I would be very happy to answer that question.

Mr. STONE. I am led to ask the question not so much because of its application to this particular measure, but we are all of us getting from time to time a world of letters and telegrams about this measure and other measures. Somehow we have been impressed—I have, I know—that these letters and telegrams have been inspired by somebody and that they are not the outflow of a real voluntary or spontaneous public opinion. Hence, I say that the Senator's statement is calculated to

leave the impression upon those who may receive such letters in the future that he has induced somebody to write them.

I would feel more impressed by communications of that kind if I felt that they were written simply as the spontaneous act of the correspondent rather than under the inspiration of some other powerful and influential personage.

Mr. PAGE. Mr. President, I have taken up this matter with the heads of the colleges of this country, not with the hoi polloi, which usually, I presume, attack the Senator. I have gone to the highest authority in education in this country. I have sought to make them converts to my faith, and when they have evinced any opposition to the bill, I think they have been asked to communicate their objections quite as much as their approbation; at any rate I have not sought to keep them from writing any Senator exactly how they feel. I have frequently asked them if they had any objections to the bill to communicate them to their Senators in order that I might take it up with them and try to make the bill satisfactory. However, to be absolutely frank with the Senator from Missouri, I shall have to plead guilty, in part at least, to what he charges me with.

Mr. President, I believe there is no piece of constructive legislation before this Congress so important as this; I believe there is no asset of the American people that is going to destruction as fast as the American boy; I believe there is no proposition before the American people to-day that has taken such deep hold upon their minds as this. If there is any organization which is devoted to the uplift of the American people that has not favorably passed upon this measure I do not know where it is.

I may be wrong, but I believe that the bill as now framed is nearly perfect, because when a man like Dr. Snedden says that he wants it to be passed without the change of a single line, I think that means that it is a good bill. I believe that Senators will accept what they have received from their own States in regard to the merits of this bill as authoritative, and if they do I believe that it is not going to take more than two or three hours to pass the bill, although I wish it might be discussed for two or three days. All I say can is, that I would like to have the Senate pass upon this matter now so that I may know how they feel. If they do not want me to press the measure now I hope they will so indicate now by their votes. I have said to the Senator from Iowa [Mr. CUMMINS] that on no account would I do anything discourteous to him, and that I would not move to take up the bill if he would regard it an act of discourtesy to do so.

While I am on my feet, inasmuch as I see we can not get unanimous consent, I am going to make the motion to proceed to the consideration of the bill, and in doing so I want the Senate to be perfectly frank. If there is any man here who thinks the bill ought not to be passed, I want him to vote against it.

Mr. OVERMAN. I inquire, Mr. President, if that motion is in order?

The PRESIDENT pro tempore. It is in order.

Mr. OVERMAN. It will displace the unfinished business.

Mr. LODGE. I hope the Senator will not make that motion immediately, because it is a nondebatable motion, and some of us have something we should like to say at this point.

Mr. CULBERSON. I call the attention of the Chair to the parliamentary status. If I understand it correctly, it is this: The joint resolution to amend the Constitution is before the Senate, and the Senator from Vermont is speaking, as he says, on that joint resolution, but not about it. His proposition is to make a motion to take up his bill while the joint resolution is before the Senate by unanimous consent, and I submit respectfully that it is out of order.

The PRESIDENT pro tempore. The Chair is of opinion that, under the rules, the Senator is quite in order in moving to take up another bill.

Mr. OVERMAN. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from North Carolina will state it.

Mr. OVERMAN. If the motion of the Senator from Vermont is agreed to, it will displace the unfinished business, will it not?

The PRESIDENT pro tempore. It will, if it is agreed to.

Mr. LODGE. But a motion to take up another matter, thereby displacing the unfinished business, is in order at any time.

Mr. PAGE. I shall very cheerfully yield to the Senator from Massachusetts if he desires to make some remarks at this time, although I do not want to lose my place.

Mr. LODGE. The motion of the Senator cuts off any debate.

The PRESIDENT pro tempore. Absolutely.

Mr. PAGE. I withhold the motion if I may be allowed to retain my place while the Senator is debating the question.

Mr. LODGE. I should like to take about five minutes to say one or two things in regard to the bill.

Mr. PAGE. I yield the floor for that purpose.

Mr. OVERMAN. Mr. President, let me ask the Senator from Vermont a question. I voted to take up his bill the other day. There are some features of it I am heartily in favor of, as he knows; but does the Senator really think he can get this bill through at this session?

Mr. PAGE. I have no doubt of that, if the sentiment of the Senate is as I believe it to be. I want to say to the Senator that, from letters I have received from different States in the Union and from assurances I have received from Senators, I believe there are 72 Senators who favor this bill.

Mr. OVERMAN. I want to be perfectly frank with the Senator——

Mr. PAGE. If the Senator from Massachusetts or anybody else will show me that there are 25 per cent of the Senate opposed to my bill I will retire cheerfully.

Mr. OVERMAN. I want to be very frank with the Senator. I have talked with a good many Senators, and talked with the Senator from Vermont in regard to this bill. I live in the same hotel with the Senator from Vermont and have conversed with him about it and advised him against this course. I believe he is injuring the prospects for his bill. I do not believe there are a dozen Senators upon this floor who want the bill to be taken up at this time. As I have said, there are many features of the bill which I can support; but, I repeat, I do not believe there are a dozen Senators here who will advise the Senator to take the course he suggests with reference to this great bill, involving twelve or sixteen million dollars, in view of the fact that the session is about closing, when many conference reports are to come before us, and when there is demoralization on all sides. Under those circumstances I ask the Senator if he does not think it would be better to make this bill a special order for next session? We will be back here in two or three months, and then it can be taken up, discussed, and voted upon when we are fresh. We shall have nothing before us in the early part of that session but the impeachment trial, and I urge upon the Senator, as a friend of the measure to some extent, to put it off until the next session. I do not think that he is enhancing the prospects of his bill.

Mr. PAGE. If the Senator had stood, as I have stood, here for months and months, with a place of privilege upon the calendar, and yielded to everything, as I have done, for months and months—the bill will have been on the calendar for six months on the 26th day of this month—he might have a different opinion regarding the propriety of taking it up.

I desire to yield to the Senator from Massachusetts to make his remarks, but I do not wish to yield the floor.

Mr. LODGE. Mr. President, the Senator has read a number of letters from distinguished gentlemen in my State, for whom I have the greatest respect and with whom, I trust, I shall find myself in accord; but I can not hold opinions simply because they tell me to; I can not hold opinions simply because they hold them; I must have grounds for my action here more relative than that. I have been here a good many years, and I know organized pressure when I see it brought to bear. I also know, Mr. President, that many of these gentlemen are thoroughly, honestly, and sincerely in favor of this bill, and I shall be glad if I can find myself in agreement with them.

I have talked with one of them, Mr. Frederick P. Fish, of Boston, a very distinguished lawyer, who is deeply interested in the bill, who came to see me and talked to me about it at great length. He said he realized its importance and its complications, and he did not expect to see immediate action, for he understood it must be thoroughly discussed, and that there was some division of opinion even among those who favored it.

Mr. President, I do not profess to understand this bill or its provisions. I have had a great deal of work upon my hands during the last few months and I have had a great many other subjects to consider, which have absorbed all the time and attention which I had at my command. I want time to make myself understand the bill reasonably well before I vote. It is not a question of favoring vocational education. I suppose we all agree that vocational education is a very valuable thing. I believe too that many persons think that, like other forms of education, it is best in the hands of the States. The Senator waves aside that matter of involving the Government of the United States in this project; but, Mr. President, this is only one of continually recurring instances of the United States gradually absorbing the functions of the States. It is not as if the United States seized them by violence or force; on the contrary, it comes in the much more insidious way, of the people in the States themselves seeking to come within the jurisdiction of the United States, because the United States has the great National Treasury behind it.

Mr. President, I think this process of gradually absorbing the functions of the States and of the United States stepping

in more and more to take up one function after another is a very serious matter, indeed; it is much more serious than this bill or a dozen similar bills, because it can only lead to a gradual atrophy of the powers of the States.

I was not bred in the State rights school, as everyone is aware who knows anything about me; but, Mr. President, everyone familiar with our history knows that the States are older than the Constitution. The division of this country into States lies behind all our constitutions; and in the division of the country into States, in the organization of this Government by States, instead of having one great country with no State divisions, lies now, as I think always has lain, the great sheet anchor of our Government. I think, Mr. President, that when we are invited by any bill to make a new advance into new paths, to take on ourselves new functions which the States have hitherto exercised, we should look carefully at the direction in which we are going.

I do not say it ought not to be done; there are many cases which have occurred and others which will occur in which it ought to be done; but it is not a point to be pushed lightly to one side; it is one to be gravely considered when we are urged to enter upon new fields; and I, for one, want an opportunity to consider this bill. I do not say I shall speak five minutes on it; I do not say I shall vote against it—my inclination is in favor of it—but to ask us to take up a bill of this magnitude, involving an expenditure of some $16,000,000 annually, involving a new departure on the part of the United States and its entrance upon a new field—to ask this tired Senate, with a bare voting quorum, to take such a measure up in the last days of a dying session and to pass it without any serious debate or consideration—for there is no time for us to give proper consideration to it now—seems to me rather an extreme request. That we should take it up and debate it, and inform ourselves about it and learn from the Senator from Vermont in regard to it, I am only too happy to concede; but I am not ready to agree that we should take up this bill and promise to vote on it at a certain time, to-morrow or the day after, when we all know that at any moment a conference report or an appropriation bill may be here which will involve hours of debate; and we might find ourselves confronted with a unanimous-consent agreement to vote without an opportunity of discussing this measure. I think it is only fair to the Senate to give us a reasonable opportunity to take up the bill and discuss it before asking us for unanimous consent to vote upon it. Unanimous consent to vote is seldom if ever asked before there has been any debate.

Mr. PAGE. Mr. President, I want to say to the Senator from Massachusetts that I am not asking unanimous consent. My request for unanimous consent was denied. I want to say further to the Senator from Massachusetts that he is the Senator who, when my bill has come up here in the regular order, has objected to its consideration.

Mr. LODGE. I have objected to it once, and that was the other day when the Senator asked unanimous consent to fix a time for voting upon it. That is the only occasion on which I have ever objected.

Mr. PAGE. The Senator, I have no doubt——

Mr. LODGE. I gave my reasons then, which were the same as they are now.

Mr. PAGE. I have no doubt the Senator thinks he is correct about that matter, but on an occasion when the bill came up prior to that I went to the Senator from Utah [Mr. SMOOT] and said, "Senator, it seems to me that my bill is being sidetracked. I hope you will let me have an opportunity to consider it when it comes up in regular order." The Senator from Utah said, "I will see the Senator from Massachusetts [Mr. LODGE] and see what he says about it." He turned around to the Senator from Massachusetts and came back and said to me, "The Senator objects." I may be wrong about that.

Mr. LODGE. I know nothing of that, Mr. President. I do not carry private conversations to the floor, and I do not recall that one.

Mr. PAGE. I desire to say in regard to the question which the Senator has brought up concerning the autonomy of the States that the State of Massachusetts has perhaps in Mr. Fish one of the ablest educators in New England. The board of commissioners of Massachusetts have reflected his sentiments. He objected to the very points to which the Senator objects; but when they sent on their representatives from Massachusetts to aid in the revision of this bill they made important suggestions in order that the State autonomy might not be impaired. I want to read to show how the bill has been changed in that respect. I read from section 19 of the bill:

SEC. 19. In order to secure the benefit of the secondary school department fund, the industrial or home economics school fund, the district agricultural school fund, the college teachers' training fund, or the normal teachers' training fund, the board for vocational education for each State—

and that board for vocational education was the Massachusetts idea—

and the District of Columbia shall adopt, with the approval of the Secretary of the Interior, and place in operation a general administrative scheme or plan, with such modifications as may be made from time to time, for the proper distribution of moneys to school of secondary grade and to colleges and normal schools as herein provided.

Mr. Fish, I confess, is probably one of the strongest educators in New England, and it is his mind that has gone into this bill so as to take away from the Federal Government the power to control and leave the State autonomy perfect and complete.

Mr. SWANSON. Mr. President——

Mr. PAGE. If the Senator will allow me to make my motion, then I will yield.

Mr. SWANSON. I should like to make a suggestion to the Senator before he makes his motion.

Mr. PAGE. Very well.

Mr. SWANSON. Mr. President, I am favorable to the purposes sought to be accomplished by this bill. I voted the other day to take it up for consideration, but I think this is a very inopportune time for the bill to be pushed, especially as the session is fast being concluded. So I want to suggest to the Senator, as one who is favorable to this bill, with proper amendments—and if it be properly amended I expect to support it—that he consent to submit a request that this bill be made a special order for Wednesday, December 18. I believe that will accomplish better results and do more to secure its final passage and enactment into law than by pressing it at this time.

Mr. OVERMAN. On December 18?

Mr. SWANSON. December 18. There is a special order for December 16. I believe that would be the best course that could be pursued by the friends of this bill. There is scarcely a quorum here now, and it would simply be a subject of discussion and then laid aside. It has not been carefully considered, and there are certain amendments I should like to see made to it.

I hope the Senator will submit a request for such an agreement, and I believe if he does so the forces, the people who are in favor of this bill, will be able to reach a better conclusion and a better result.

Mr. PAGE. Do I understand the Senator to suggest that I ask that it be taken up at that time?

Mr. SWANSON. And made a special order.

Mr. PAGE. And carried to its final conclusion?

Mr. SWANSON. Of course.

Mr. PAGE. I think if an enemy of the bill had asked me to do that I would have objected, but I always like to take counsel of my friends, and while I would very much prefer now to have a day fixed for a vote, I will make the request for unanimous consent, as suggested by the Senator from Virginia.

The PRESIDENT pro tempore. Will the Senator please suggest the terms of the proposed unanimous-consent agreement?

Mr. LODGE. Did I understand the Senator from Virginia to suggest that we should agree to vote on the 18th day of December?

Mr. SWANSON. No.

Mr. SMITH of Georgia. No.

Mr. SWANSON. But that it be made a special order for that day.

Mr. SMITH of Georgia. Until displaced by something else.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous conset that Senate bill No. 3 be made a special order for Wednesday, December 18, 1912, not to interfere with the impeachment trial. Is there objection?

Mr. PAGE. Am I to understand that its consideration is to be continued until disposed of? I have had one or two special orders, and they have managed to sidetrack me. I should like to have the special order protect me at that time.

The PRESIDENT pro tempore. A special order can not be made to cover other days than the day specified.

Mr. SMOOT. If the special order is made for Wednesday, December 18, 1912, not to interfere with the impeachment trial—allow me to suggest this to the Senator from Vermont—upon that day the bill will come up, and if the Senator has enough votes in the Senate, and I have no doubt he has, he can at that time make the bill the unfinished business. Will not the Senator content himself with having it made the special order for the 18th, and then if there are enough votes in the Senate in favor of the measure, he can have it made the unfinished business?

Mr. PAGE. I should like to ask why my bill can not receive the same treatment that is accorded all other bills—let it come up and some time be named for a vote upon it? That is the way

we do with almost all other bills that come up here. I have had one or two special orders——

Mr. SWANSON. I suggest to the Senator that this order be made in precisely the same language in which the order is made with reference to Senate bill 4043. Then, under the rules of the Senate, if a majority of the Senators are desirous of passing this bill they can keep it before the Senate for consideration until it is passed. Then you can reach an agreement for a final vote, and there will be no difficulty in arriving at a vote if a majority of the Senators desire it.

Mr. SMOOT. That is just what I suggested.

Mr. SWANSON. That is the plan which was adopted as to Senate bill 4043, which is a bill to prohibit interstate commerce in intoxicating liquors in certain cases.

Mr. PAGE. That bill has not passed to successful issue, has it?

Mr. SWANSON. It has not. But it has been made the order for December 16. I suggest that this bill be made a special order for the 18th and taken up for consideration, and after that, if a majority of the Senate wants to continue with it, it is impossible to displace it by anything else.

Mr. PAGE. I ask unanimous consent for the following order:

It is agreed by unanimous consent that on Wednesday, December 18, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed with the consideration of the bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, and on that legislative day the Senate will proceed, without further debate, to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill—through the regular parliamentary stages—to its final disposition.

Mr. LODGE. That is entirely different from the unanimous-consent agreement suggested by the Senator from Virginia.

The PRESIDENT pro tempore. Is there objection to the request made by the Senator from Vermont?

Mr. SMOOT. If we agree to that unanimous consent, it will interfere with the impeachment trial. This agreement provides for the legislative day. That may run on three or four days, and we have the impeachment trial. I certainly shall object to that.

The PRESIDENT pro tempore. Objection is made.

Mr. SMOOT. I am perfectly willing to agree that the bill be made a special order for that day, and then if a majority of the Senate so desires it can be made the unfinished business.

Mr. PAGE. I have had one or two special orders, and in every case have been sidetracked. I fear the Senator from Utah is not friendly to the bill.

Mr. SMOOT. I have not been unfriendly to it and have made these suggestions merely because of the fact that we have before us the appropriation bills and the conference reports, and on the 18th day of December we will not have any appropriation bill or any conference report to take into consideration.

Mr. PAGE. I take it the Senator from Utah will object to my bill. I waited——

Mr. SMOOT. I objected to the request for unanimous consent.

Mr. PAGE. Then I move——

Mr. CUMMINS. The Senator from Vermont is about to move to take up the bill?

Mr. PAGE. I am.

Mr. CUMMINS. Will the Senator permit me to say a word?

Mr. PAGE. Certainly.

Mr. CUMMINS. I entirely acquit the Senator from Vermont of any personal discourtesy toward me, and I recognize the importance of the bill which he desires to bring before the Senate. I am as heartily in favor of it as he is, but it is somewhat extraordinary, as it seems to me, to displace business that has already been taken up, and I hope that it will not be done.

Mr. CLAPP and Mr. SMOOT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Vermont withhold his motion?

Mr. PAGE. I do for the moment.

Mr. CLAPP. I simply desire to say to the Senator from Vermont that in view of the statement of the Senator from Iowa, while I would otherwise be glad to vote with him to bring on the consideration of the bill in which he is interested, I would not now feel like voting for it.

Mr. TOWNSEND. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator from Michigan.

Mr. TOWNSEND. In case the motion which the Senator from Vermont proposes to make should carry, would this bill be the unfinished business until supplanted by something else?

The PRESIDENT pro tempore. It would be.

Mr. TOWNSEND. Then if the Senator from Vermont will yield to me a minute, I will suggest that the Senator make his motion to take up his bill immediately after the disposition of the joint resolution of the Senator from Iowa. I want to say that I do not think the Senator from Vermont [Mr. PAGE] has been treated fairly in reference to his bill. It is due perhaps to the fact that he has been a little too considerate of others, for I have noticed here that the Senators who have succeeded in getting their matters before the Senate have been those who have been the least considerate of the desires of other Senators. In fact, I have noticed that, and under the pressure of a threat to hold up the Senate or to prevent the consideration of bills by unanimous consent generally the thing a Senator desires is brought about. I am as anxious to get away from here as any man can possibly be, and I had hoped that the Senator from Vermont might be content to have the Senate take up his bill next session. But, at the same time, so far as I am concerned, I propose to vote with him in reference to the proposition he wishes to submit. He has an important measure, and he has been encouraged to believe that it would be considered at this session.

I would not object to having it supplant the matter now before the Senate, but that is from a selfish reason, because I am opposed to the proposition now pending. The Senator from Vermont can move to take up Senate bill No. 3 immediately after the pending resolution is determined, and then a majority could continue it as the unfinished business until it is disposed of or until the end of the session. We can not now fix a day for a vote, because of the uncertainties of conference reports and of adjournment, but the Senator can certainly begin consideration of his bill if a majority is so disposed.

Mr. PAGE. May I ask the Presiding Officer whether that would be a proper motion to make?

The PRESIDENT pro tempore. The Chair is not informed as to the exact nature of the suggested motion.

Mr. PAGE. That the bill be taken up for consideration at the conclusion of the joint resolution now before the Senate.

Mr. STONE. That is not it. As I understand, the proposal is that the Senator is to move to have the bill made a special order to be taken up immediately after the conclusion of the special order set for December 16.

Mr. TOWNSEND. No. The Senator did not understand me correctly.

Mr. STONE. I so understood the Senator.

Mr. TOWNSEND. The Senator did not understand me correctly; at least I did not intend to leave that impression. The proposition was that this matter be taken up immediately after the conclusion of the joint resolution of the Senator from Iowa, which is now pending before the Senate.

Mr. HEYBURN. Mr. President, that might result in prolonging the session beyond the time when otherwise Congress would adjourn. It is not a very safe proposition, because Congress may adjourn notwithstanding the motion.

Mr. MYERS. Will the Senator from Vermont yield to me for a moment?

Mr. PAGE. I yield.

Mr. MYERS. Mr. President, I have listened to this discussion, and by permission of the Senator from Vermont I wish to say a few words in connection with it.

Personally this body has always and invariably been exceedingly kind and courteous to me. As a new Senator here I have several times enjoyed what I considered very kindly consideration and very great courtesy at the hands of this body, and personally I have no cause to complain, but I am going to take the responsibility of saying a few words about the methods of doing business here.

It does not seem to me right for a bill of the importance of this bill, Senate bill No. 3, never to come to consideration during a session that lasts some eight or nine months. It seems that under the rules here there is no way of getting a bill up except by unanimous consent. I have been here month after month, and I have seen the calendar called under unanimous consent. Invariably I have obtained unanimous consent for such matters as I have desired to bring before the Senate, and personally have no cause to complain, no Senator having objected to any measure for which I asked consideration. The measures for which I asked consideration were not very important, but perhaps if they had been there would have been no objection. But I see no way, if there be objection, in which a vote on a bill on this calendar can be reached. I have never yet seen the calendar called for the consideration of bills other than by unanimous consent. And suppose a man has a bill on the calendar——

Mr. CUMMINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Iowa?

Mr. MYERS. Certainly.

Mr. CUMMINS. The Senator from Montana is certainly in error about that. The Senator from Vermont is about to make a motion, and if a majority of the Senate shall vote for it, he will have that bill before the Senate; and that can be done any day.

Mr. MYERS. But I will say to the Senator from Iowa it seems that that will involve displacing a measure in which the Senator from Iowa is interested and which is the unfinished business.

Mr. CUMMINS. The Senate can not do two things at the same time. It can not be engaged in the consideration of two bills at the same time.

Mr. MYERS. And the Senator from Iowa seems to think it would be some injustice to his measure. Perhaps it would be.

Mr. SMITH of Georgia. I call the attention of the Senator from Montana to the fact that this bill was not presented until June 14.

Mr. MYERS. Does the Senator mean that it was only then introduced into this body?

Mr. SMITH of Georgia. No; I mean that the present bill, which substantially modifies the old bill, the Senator from Vermont never perfected until June 14.

Mr. MYERS. But the original bill was introduced earlier in the session?

Mr. SMITH of Georgia. But he never perfected it until the time I have stated. It is a bill which would not harmonize with any State machinery with which I am familiar. It certainly would not in our State.

Mr. MYERS. I have never been the author of a bill of this importance, but it does seem to me that a bill of this importance ought to have some way of coming to a vote without asking unanimous consent and without displacing a measure in which some other Senator is interested.

Mr. SMITH of Georgia. There have been a dozen times when, with a majority of the Senate, the Senator could have had the bill taken up, without displacing any other business.

Mr. MYERS. There may have been a dozen such times, but they seem to have been of no benefit to the Senator from Vermont. It seems to me a bill of this importance ought of its own right to have some way of coming to a vote. I sympathize with the effort of the Senator from Vermont to get this bill up for consideration, and I believe it ought to be brought up for consideration, whether there be merit in it or not, and let it be considered on its merit, and if it is not meritorious let it be defeated, and if meritorious passed. I believe it ought to be done at this session. I do not think Senators ought to be in a hurry to get away as long as there is public business here demanding attention, and I hope in some way the Senator from Vermont may be able to get consideration for his bill at this session or at an early date in the next session, whichever he may prefer.

Mr. CULBERSON. Mr. President, I call the attention of the Chair to the two unanimous-consent agreements printed on the calendar to-day. I direct particular attention to the second provision, which is to this effect:

It is agreed, by unanimous consent, that on Monday, August 19, 1912—

Which is to-day—

following the action of the Senate on S. 957, relating to bills of lading, the Senate will take up for consideration Calendar No. 348, S. 3, to cooperate with the States in encouraging instruction in agriculture, the trades, and industries—

Which is the bill of the Senator from Vermont—

That shows that this bill comes up by unanimous consent to-day at a certain time, following the action on the bill which is made the order of business by unanimous consent.

The PRESIDENT pro tempore. The Chair does not agree with the Senator for two reasons: First, that it was to follow a bill that has not as yet been considered; next, it relates to the morning hour, and when the hour of 12 o'clock arrived the unfinished business was placed before the Senate, so that, as a matter of fact, in the view of the Chair, both of these unanimous-consent agreements fell at 12 o'clock to-day.

Mr. PAGE. Mr. President, the Senator from Iowa has probably been as good a friend to this bill as anyone in the Senate. When I went to him and asked him his wishes in this matter, he said he thought he would have no objection to my making a motion that would give the Senate the alternative of continuing the consideration of his joint resolution or taking up my bill. I then thought I could do so without being discourteous to him or without doing him any wrong. But I shall not knowingly place myself where I am going to displease him in this matter. If the Senate will say to me that after he has concluded the consideration of his joint resolution I may have consideration of my bill, I will withdraw my motion. I now ask unanimous consent that at the conclusion of the consideration of the joint resolution of the Senator from Iowa my bill be taken up and made the special order, if that is a proper request, Mr. President.

The PRESIDENT pro tempore. The Chair thinks that is a proper request.

Mr. SMOOT. You desire to have it taken up for consideration?

Mr. PAGE. For consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont?

Mr. WILLIAMS. Do I understand the request to be that we shall at this session take up the bill and continue here until it is disposed of?

Mr. PAGE. No, sir. I will take my chances on that. It is that after the consideration of the joint resolution is concluded we shall take up the bill, and, if we then have time to consider it properly and pass it, I should like to have it taken up, considered, and passed; but if we do not, I suppose I must be content.

Mr. WILLIAMS. I frankly say I do not want——

Mr. SMOOT. The request is that a special order be made to take it up for consideration, as I understood the Senator. We could not have an order coupled with the condition that if we have time it shall be considered. That could not be included in the order. As I understand it, the Senator from Vermont wants to have it made a special order, to be taken up for consideration.

Mr. PAGE. But I did make the suggestion that if the Senate was friendly to that request I would take my chances. I do not care to have the order made strictly according to parliamentary practice, but if it is understood that, barring the consideration of appropriation bills and conference reports, and after the joint resolution shall have been considered, my bill will be taken up, I am quite willing to leave it in that way.

The PRESIDENT pro tempore. The Chair will state the request as the Chair understands it. It is that upon the conclusion of the consideration of the joint resolution now before the Senate, Senate bill No. 3 be made a special order and be taken up for consideration. Is there objection?

Mr. WILLIAMS. I understood that the bill was to be made a special order subject to the consideration of appropriation bills and conference reports.

The PRESIDENT pro tempore. The Chair will so state it. The request is that on the conclusion of the consideration of joint resolution No. 78, it be made a special order subject to the consideration of appropriation bills and conference reports. Is there objection?

Mr. SMITH of Georgia. I rise to a parliamentary inquiry. What would be the effect of the special order? How long would it continue?

The PRESIDENT pro tempore. The Chair will suggest that it would continue until adjournment on that day, and then if not disposed of——

Mr. SMITH of Georgia. To the adjournment on that day.

The PRESIDENT pro tempore. And then it would go to the Calendar of Special Orders.

Mr. SMITH of Georgia. If it just lasts until adjournment on one day, I am willing to consent to it.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

FUR-SEAL CONVENTION.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16571) to give effect to the convention between the Governments of the United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the North Pacific Ocean, concluded at Washington, July 7, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

"SEC. 11. That from and after the approval of this act all killing of fur seals on the Pribilof Islands, or anywhere within the jurisdiction of the United States in Alaska, shall be suspended for a period of five years, and shall be, and is hereby, declared to be unlawful; and all punishments and penalties

heretofore enacted for the illegal killing of fur seals shall be applicable and inflicted upon offenders under this section: *Provided*, That this prohibtion shall not apply to the annual killing on the Pribilof Islands of such male seals as are needed to supply food, clothing, and boat skins for the natives on the islands, as is provided for in article 11 of said convention; the skins of all seals so used for food shall be preserved and annually sold by the Government, and proceeds of such annual sales shall be covered into the Treasury of the United States: *Provided further*, That at the expiration of the said five years' suspension of all commercial killing, as above provided, said killing may be resumed under authority of the Secretary of Commerce and Labor: *Provided, however*, That the number of 3-year-old males selected from among the finest and most perfect seals of that age found on the hauling grounds, to be reserved for breeding purposes, in each year ending August 1, shall not be fewer than the following: In 1917, and in each year thereafter until 1926, inclusive, 5,000. The Secretary of Commerce and Labor, or his authorized agents, shall have authority to receive on behalf of the United States any and all fur-seal skins taken as provided in the thirteenth and fourteenth articles of said convention and tendered for delivery by the Governments of Japan and Great Britain in accordance with the terms of said articles; and all skins which are or shall become the property of the United States from any source whatsoever shall be sold by the Secretary of Commerce and Labor in such market, at such times, and in such manner as he may deem most advantageous; and the proceeds of such sale or sales shall be paid into the Treasury of the United States. The Secretary of Commerce and Labor shall likewise have authority to deliver to the authorized agents of the Canadian Government and the Japanese Government the skins to which they are entitled under the provisions of the tenth article of said convention; to pay to Great Britain and Japan such sums as they are entitled to receive, respectively, under the provisions of the eleventh article of said convention; to retain such skins as the United States may be entitled to retain under the provisions of the eleventh article of said convention; and to do or perform, or cause to be done or performed, any and every act which the United States is authorized or obliged to do or perform by the provisions of the tenth, eleventh, thirteenth, and fourteenth articles of said convention; and to enable the Secretary of Commerce and Labor to carry out the provisions of the said eleventh article there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $400,000."

And the Senate agree to the same.

H. C. LODGE,
WILLIAM ALDEN SMITH,
BENJAMIN F. SHIVELY,
Managers on the part of the Senate.

WILLIAM SULZER,
H. D. FLOOD,
WILLIAM B. MCKINLEY,
Managers on the part of the House.

STATEMENT OF THE MANAGERS.

The agreement of the conferees on the bill (H. R. 16571) to give effect to the convention between the Governments of the United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the north Pacific Ocean, concluded at Washington July 7, 1911, is a compromise between the opposing views of the two Houses. There was only one point in difference between the Houses—the length of the closed season. The Senate fixed it at 10 years, the House at 1 year. The conferees agreed upon a closed season of 5 years. A compromise was absolutely necessary, because it was essential that the bill should pass at this session, as a failure to pass it would probably lead to the loss of the treaties by which pelagic sealing has been stopped.

The report was agreed to.

Mr. LODGE. I present a letter from the Secretary of Commerce and Labor in regard to the matter of fur-seal fisheries. It is a letter addressed to me, which I ask to have printed in the RECORD without being read.

The PRESIDENT pro tempore. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

DEPARTMENT OF COMMERCE AND LABOR,
Washington, August 19, 1912.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: While I regret that the Senate insisted upon the adoption of the committee's recommendation for a closed season of 10 years, I am glad that the question has been clearly presented and made a matter of record. It seems to be obvious to everyone that under the present system it is the one desire to serve the Government. If the right decision is made the public has the advantage, and if the wrong decision is reached the public must pay the price. I was interested, therefore, to have the matter clearly presented, and this has been done.

In my judgment sufficient weight had not been given to the question of our good faith. A reading of our negotiations must satisfy any unbiased mind that throughout our country has insisted that pelagic sealing is alone responsible for the depletion of the seal herds. This position was emphasized throughout the discussions during the convention over which I had the privilege to preside. That convention was held as a result of continued and most urgent requests on our part, and it is not too much to say that the consent of Great Britain, Japan, and Russia to the treaty was little short of a concession to our earnest request. While it is true that we reserved the right to order a closed season, it is equally clear that the compensation provided for Great Britain and Japan in such an event is in itself a recognition of a right on the part of these countries to a continued participation in the output of the seal herds. This provision was not inserted as an equivalent, but was intended as a guaranty that we would not arbitrarily deprive the other countries of their participation in the annual catch. This is emphasized by the further provision in article 10 that such restrictions may be imposed by us "as may seem necessary to protect and preserve the seal herd or to increase its number." This provision leaves no doubt that restrictions are not to be imposed arbitrarily, but only if in our judgment they are necessary to the preservation and the increase of the herd. Having taken the position throughout that pelagic sealing was the sole cause of the depletion, and having had no experience since the signing of the treaty to justify a change of policy, it appears to me that we are not in a position at this time to order a closed season in good faith.

It should be remembered also that further treaties with respect to other kindred subjects are still contemplated, and that a reversal of our position without sufficient reason must necessarily embarrass us in future negotiations with these and other countries.

Furthermore, it is to be regretted that a closed season at this time will prevent us from subjecting the question at issue to a conclusive test. With pelagic sealing stopped a few years of experience would have enabled the Government to determine once for all whether the preservation of all females and the killing of surplus males will result in the conservation of the herds. If a closed season is now ordered it will be difficult, if not impossible, to arrive at a satisfactory conclusion upon this question. A closed season for a long term of years is sure to discourage similar negotiations and, indeed, to put the seal treaty itself in jeopardy, whereas the adoption of a policy which has been advocated by every expert in and out of the service would give us the benefit of an actual test under the conditions upon which we have always insisted, and would leave Congress free to order a closed season at any time in case our experience demonstrates the incorrectness of that policy.

Again, it may not be improper to call attention to the fact that the payment of the stipulated amounts to Great Britain and Japan in the event a closed season is ordered would not represent the sole loss to us. In addition, we will lose an annual income of from $250,000 to $300,000, without figuring on the increase of the herds upon which we confidently count now that pelagic sealing has been suppressed. This loss is permanent, because the male seals that are not killed before they reach the age of five years are practically lost owing to the fact that after that age the fur is valueless.

I trust you will pardon me for adding one word as to some of the charges that were made on the floor of the Senate against the integrity of the service. It was stated, among other things, that the law of 1910 limits the killing to 3-year-old seals. This is not my understanding, nor do I believe that a careful reading of existing law will justify such an interpretation. The law of 1910 was drafted by the solicitor of this department under my supervision. It was not the purpose at that time, when pelagic sealing was still in vogue, to recommend such a restriction. No one in the department has ever understood that the law fixed a 3-year limit. On the contrary, it has been the accepted opinion that the statutory 1-year limit still obtains. By the rules of the department the limit was raised to 2-year-olds, and now since pelagic sealing has been stopped, and there is no longer danger of losing seals before they reach the most desirable age, I have in my last report recommended that the age for killing be restricted to 3-year-olds. I mention this fact because it was charged that those who are responsible for the administration upon the islands had disregarded the law. This is untrue. In killing seals under three years they acted in compliance with the rules of the department and under my instructions. Whatever responsibility there may be is mine, and I can not permit these criticisms to rest where they do not belong.

It was also said that at the time when the law of 1910 was under consideration it was understood that there would be a cessation of killing. All that I can say is that I was not a party to such an understanding. I did not create the impression by anything that I said or did, nor do I believe that it would have been proper for me to have had an understanding with members of the Senate committee about proposed legislation when that understanding was not conveyed either to the Senate or to the House or to the President, all of whom gave their consent to the law and were entitled to know the conditions upon which it was enacted. The law speaks for itself. It places the responsibility for the decision as to the killing or not killing with the Secretary, and I have exercised that discretion in the light of the best advice that it was possible to obtain. I did say that in making my decision I should be governed largely by the effect which that decision might have upon our chance to secure a treaty for the suppression of pelagic sealing. Conservation of the herds was regarded as the paramount purpose. Pelagic sealing was accepted by us as the sole cause of the depletion of the herd. The treaty to suppress pelagic sealing was our controlling purpose, and I did say that I would be governed in my decision by this consideration. This was done. Every step taken was approved by the State Department, which was then engaged in the negotiations, and the State Department was of the opinion that a cessation of killing would retard the progress of the negotiations rather than promote.

Finally, it has been said that seals have been illegally killed on the Pribilof Islands. For this statement there is, in my judgment, no justification. I have followed with care the administration upon these islands. I have visited the islands in person; have examined the returns; have instituted inquiries on this side and in England where the skins are sold; have personally interviewed members of the firm that sells the skins, and a member of the firm which has dyed nearly all

Alaska skins for a long period of years. I say, without hesitation, that there is no foundation to the charge that any seal has been killed under the age of 1 year, which is the limit fixed by the statute. More than that, there is no foundation for the charge that seals have been killed under 2 years, which is the limit fixed by the rules of the department. This charge is not made by anyone, nor is it based upon the information of anyone who has ever seen one of the seals killed or one of the skins taken. It is not based upon the accounts rendered to this Government by its officers, or by the dealers or dyers in England where the skins are disposed of, but it rests upon descriptions of the ages of seals which have been arbitrarily inserted into these accounts by an outsider without reason, justice, or fact. The charge that female seals have been killed is likewise essentially untrue. It is true, and as to this I have made careful inquiry, that while the catch of the pelagic sealers is composed of about 80 per cent of female seals, the Alaskan seals which are taken on Pribilof Islands are, to all intents and purposes, composed exclusively of male seals. I am reliably informed that these facts are capable of positive proof.

There is no difficulty whatever in distinguishing the skin of a male seal from that of a female seal, and my advices are that during this administration the skins of female seals coming from the Pribilof Islands have constituted a negligible quantity. It is true that each year a few skins of female seals are included. In the nature of things this is unavoidable. The seal is a wild animal; the selection for killing must be left to experts and, in the nature of things, a few exceptional mistakes are registered every year. The necessity for this is so obvious that if any official undertook to tell me that no mistake ever occurred, I would not credit his statement.

In conclusion I want to say that the Commissioner of Fisheries has throughout done everything in his power to urge the wisdom of having pelagic sealing suppressed. More than that, he was the first, early in 1909, to call my attention to the fact that the sealing lease would expire in the following year and to advocate the discontinuance of that system. As a result of his recommendations to me communications with the State Department looking to a renewal of the negotiations for a treaty were had some time before this matter was agitated in other quarters. And while the department was bound under the law in force to make preparation for a possible new lease, its policy throughout was to advocate a discontinuance of that system and the taking over of the seal herds by the Government in order that those herds might be properly conserved and that the Government might be free from time to time to adopt that plan which appeared to be best calculated to promote the securing of a treaty between the four nations immediately involved, and afterwards to protect the herds.

Very sincerely, yours, CHARLES NAGEL, *Secretary.*

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24322) 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 of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 7, 8, and 9, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter stricken out by the Senate amendment insert: "The name of John H. Brown, late of the U. S. S. *Worden*, United States Navy, and pay him a pension at the rate of $12 per month"; and the Senate agree to the same.

P. J. McCUMBER,
HENRY E. BURNHAM,
Managers on the part of the Senate.
DAN. A. DRISCOLL,
IRA W. WOOD,
Managers on the part of the House.

The report was agreed to.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24602) 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 of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

P. J. McCUMBER,
HENRY E. BURNHAM,
Managers on the part of the Senate.
DAN. A. DRISCOLL,
IRA W. WOOD,
Managers on the part of the House.

The report was agreed to.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 24996) 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, having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same.

P. J. McCUMBER,
HENRY E. BURNHAM,
Managers on the part of the Senate.
DAN. A. DRISCOLL,
IRA W. WOOD,
Managers on the part of the House.

The report was agreed to.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 25166) 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

P. J. McCUMBER,
HENRY E. BURNHAM,
Managers on the part of the Senate.
DAN. A. DRISCOLL,
IRA W. WOOD,
Managers on the part of the House.

The report was agreed to.

BILLS OF LADING.

Mr. CLAPP. Last week we arranged by unanimous consent for taking up this morning Senate bill 957, relating to bills of lading. Of course we reached the unfinished business before we got to that bill. I ask unanimous consent that on Wednesday at the conclusion of the routine morning business the Senate will proceed to the consideration of the bill (S. 957) relating to bills of lading, such consideration, however, not to interfere with the consideration of appropriation bills or the reports of committees of conference.

The PRESIDENT pro tempore. The suggested agreement will be stated by the Secretary.

The Secretary read as follows:

It is agreed by unanimous consent that on Wednesday, August 21, 1912, immediately upon the conclusion of the routine morning business, the Senate will proceed to the consideration of Order of Business 651, the bill (S. 957) relating to bills of lading, such consideration, however, not to interfere with the consideration of appropriation bills or reports of committees of conference.

The PRESIDENT pro tempore. Is there objection to the unanimous consent requested?

Mr. CUMMINS. I am dull about these requests and can not remember from time to time what the rule is. Will the consent just asked interfere with the unfinished business?

The PRESIDENT pro tempore. Not at all. Is there objection to the request?

Mr. HEYBURN. I would inquire what effect it would have on the special order just agreed to. It may be that that will be the day upon which its consideration will terminate and this special order would follow it. We make the unanimous consent agreement to take up another bill on that day and no exception is made in favor of the special order.

Mr. CLAPP. The special order will not come up until 12 o'clock if we meet at 10. This precedes that. It may not be reached, as it was not reached to-day. I do not wish in any way or in any manner to interfere with the special order.

Mr. HEYBURN. The special order might well have been mentioned as an exception.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

CORBETT TUNNEL, SHOSHONE IRRIGATION PROJECT.

Mr. MYERS. I ask leave out of order to introduce a joint resolution.

The joint resolution (S. J. Res. 134) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel was read twice by its title.

Mr. MYERS. I ask that the joint resolution be read, and I shall ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. CUMMINS. What is the request?

The PRESIDENT pro tempore. That the joint resolution be read and considered.

Mr. MYERS. I suggest that the joint resolution be read, and then I will ask for the consideration of it.

The PRESIDENT pro tempore. Without objection, the joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That there be, and is hereby, appropriated out of the Treasury of the United States the sum of $42,000, or so much thereof as may be necessary, for the payment of, and to be paid to, those persons who have and hold and who have presented or may present claims remaining unpaid on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor in the construction of the Corbett Tunnel, as a part of the Shoshone irrigation project, in the State of Wyoming, under any contract or contracts let for that purpose by the Government of the United States, and the Secretary of the Interior is hereby authorized and directed to forthwith and, as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid on account thereof, and to whom so due, and to order the same paid hereunder.

Mr. CUMMINS. May I ask if we were to enter upon the consideration of the joint resolution at this time, would it displace the unfinished business now before the Senate?

Mr. MYERS. I do not want to displace the unfinished business at all.

Mr. SMOOT. I will ask that the joint resolution go over for a day.

The PRESIDENT pro tempore. It is a joint resolution, and if it went over under the rule it would go to a committee.

Mr. SMOOT. Has the joint resolution passed the House, or is it a Senate joint resolution?

The PRESIDENT pro tempore. It is a Senate joint resolution.

Mr. BRANDEGEE. A parliamentary inquiry. It is not necessary that the joint resolution should be referred to a committee. It could be acted upon.

The PRESIDENT pro tempore. It could be acted upon undoubtedly.

Mr. MYERS. I simply want to say that I do not see any object in referring the joint resolution to a committee. The matter which the joint resolution involves was considered for two days by the Senate practically in Committee of the Whole, and it was adopted and discussed up and down the line on both sides, and everything in relation to it, I think, both as to the law and the facts, was brought out. I do not see any use in referring the joint resolution to a committee. What would be the object? The Senate is informed about the facts of the matter, and that is the reason why I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. BRANDEGEE. If the joint resolution should pass, it would simply be reaffirming the attitude taken by the Senate, would it not?

Mr. MYERS. In a different form. This would take the money out of the Federal Treasury and would not make it a tax on the lands which yet remain to be sold of the Shoshone irrigation project.

Mr. CUMMINS. I remember very distinctly that the Senator from Utah [Mr. SMOOT], when the veto message was before the Senate, stated that he would be glad to support a direct appropriation in order to reimburse these people for their losses. I hope that he will not require it to go to a committee. All the facts are known.

Mr. SMOOT. I hardly understood the joint resolution when it was first read. It is an appropriation of $42,000?

Mr. MYERS. "Forty-two thousand dollars, or so much thereof as may be necessary."

Mr. SMOOT. In connection with the Corbett Tunnel. I shall not object to the consideration of the joint resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution? There being no objection, the joint resolution was considered as in the Committee of the Whole.

Mr. HEYBURN. I should like to hear the last sentence of the joint resolution read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Under any contract or contracts let for that purpose by the Government of the United States, and the Secretary of the Interior is hereby authorized and directed to forthwith and as soon as may be investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid on account thereof, and to whom so due, and to order the same paid hereunder.

Mr. HEYBURN. It is the last sentence that attracted my attention. Of course, the Secretary of the Interior can make no order for the payment of money out of the Treasury. I think that might be eliminated and then it would be paid under the previous clause in the joint resolution.

Mr. MYERS. Then, I ask that the last clause about the Secretary directing the payment be stricken out.

Mr. CUMMINS. I do not quite catch the objection of the Senator from Idaho. There will have to be some auditing officer in order to ascertain the amount to be paid.

Mr. HEYBURN. I do not object to that part of the joint resolution authorizing the Secretary to audit and determine the amount, but only to the sentence that the Secretary shall order the money to be paid.

Mr. MYERS. I ask the Secretary to read the last clause, which relates to the Secretary ordering the pay.

The PRESIDENT pro tempore. The sentence to which the Senator refers will be read.

The Secretary read as follows:

And the Secretary of the Interior is hereby authorized and directed to forthwith, and as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid on account thereof, and to whom so due, and to order the same paid hereunder.

Mr. MYERS. I ask that all after the word "States" be stricken out.

The PRESIDENT pro tempore. Without objection, the words will be stricken out.

Mr. SMOOT. Let the provision be added that the Secretary of the Interior shall certify to the Secretary of the Treasury the amount due.

Mr. MYERS. I will ask that that be added, in the language of the Senator from Utah, at the end in lieu of what was stricken out.

Mr. HEYBURN. Still there is no provision directing the payment of the money. The joint resolution undertakes to make an appropriation, which is proper; then it authorizes an auditing—that is proper. Now, we should certify the result of the auditing. Then, the joint resolution should authorize, upon that certificate being filed, that the Treasurer be authorized to pay the money.

Mr. MYERS. I will ask that the exact words suggested by the Senator from Idaho be inserted. I ask that the words be added suggested by the Senator from Utah, and then the words suggested by the Senator from Idaho.

The PRESIDENT pro tempore. The joint resolution as modified will be read.

The Secretary read the joint resolution as modified, as follows:

Resolved, etc., That there be, and is hereby, appropriated, out of the Treasury of the United States, the sum of $42,000, or so much thereof as may be necessary, for the payment of and to be paid to those persons who have and hold, and who have presented or may present claims, remaining unpaid, on account of labor, supplies, materials, or cash furnished to the contractor or the subcontractor in the construction of the Corbett Tunnel, as a part of the Shoshone irrigation project, in the State of Wyoming, under any contract or contracts let for that purpose by the Government of the United States, and the Secretary of the Interior is hereby authorized and directed to forthwith, and as soon as may be, investigate, hear evidence about, determine, and declare the several amounts due and remaining unpaid on account thereof, and to whom so due, and to certify the amounts due to the Secretary of the Treasury, who is hereby authorized to pay the several amounts so ascertained to the persons entitled to the same.

The joint resolution was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

THE PRESIDENTIAL TERM.

Mr. CUMMINS. I ask unanimous consent that the unfinished business, Senate joint resolution No. 78, may be temporarily laid aside.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

DONATION OF CANNON, ETC.

Mr. O'GORMAN. Mr. President, in a few days a monument to the memory of Gen. Sullivan, of Revolutionary fame, will be unveiled in the State of New York. The committee in

charge of the ceremonies aided in the introduction of a bill authorizing the Secretary of War to supply, in his discretion, certain unused cannon. The matter is provided for in the bill now on the calendar, Order of Business 921, House bill 24458. The bill has similar provisions respecting other States. I ask unanimous consent for the immediate consideration of the bill (H. R. 24458) authorizing the Secretary of War, in his discretion, to deliver to certain cities and towns condemned bronze or brass cannon, with their carriages and outfit of cannon balls, and so forth.

The ceremonies that I speak of will occur in a few days, and I hope there will be no objection to the passage of the bill at this time.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent for the present consideration of a bill the title of which he has stated. Is there objection to the request?

Mr. McCUMBER. I have no objection to this one bill, but I hope we can get to the calendar again this evening. When we were last on the calendar we began at Order of Business 793. That left two pension bills that were not taken up during the last consideration, one a private pension bill containing only one name, and one omnibus bill still on the calendar. I hope after we get through with the bill which the Senator from New York has called up we may go to the calendar at least for the purpose of taking up these pension bills.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments.

The first amendment was, on page 1, line 4, after the words "to the," to strike out "city" and insert "village"; and in line 5, before the words "State of Illinois," to insert "county of Cook and," so as to make the clause read:

That the Secretary of War be, and he is hereby, authorized, in his discretion, to deliver to the village of Dolton, in the county of Cook and State of Illinois, for the use of the George W. Spencer Post, No. 489, Grand Army of the Republic, two condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls, to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 5, after line 17, to insert:

To the State of New York, two bronze or brass fieldpieces or cannon, with their carriages and outfit of cannon balls, and so forth, not needed for service, the same to be used on the site of the Newtown Battlefield Monument to Gen. Sullivan, of Revolutionary fame.

The amendment was agreed to.

The next amendment was, on page 5, after line 22, to insert:

To the State of Utah, for the use of the Utah Indian War Veterans' Association, two condemned bronze or brass cannor or fieldpieces, the same to be subject at all times to the order of the Secretary of War.

Mr. SMOOT. On page 6, line 1, after the word "fieldpieces," I move to amend the amendment by inserting the words "with their carriages and oufit of cannon balls."

This is to make the amendment conform to all the other provisions of the bill.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Military Affairs was, on page 6, after line 2, to insert:

To the village of Lancaster, Erie County, State of New York, two condemned bronze or brass cannon or fieldpieces, with their carriages and outfit of cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 6, after line 6, to insert:

To the city of Huntington, State of West Virginia, two bronze cannon or fieldpieces, with their carriages and outfit of cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 6, after line 10, to insert:

To the city of Oregon, State of Missouri, one small bronze cannon or fieldpiece, with its carriage and six cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 6, after line 14, to insert:

To the city of Canton, State of Illinois, two condemned bronze or brass cannon or fieldpieces, with their carriages and outfit of cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Tlre next amendment was, on page 6, after line 18, to insert:

To the city of Lancaster, N. Y., two condemned bronze or brass cannon or fieldpieces, with outfit of carriages and cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 6, after line 22, to insert:

To the cities of Andalusia and Huntsville, Ala., each two condemned bronze or brass cannon, with carriages and outfit of balls, the same to be subject at all times to the order of the Secretary of War.

Mr. OVERMAN. On page 6, line 23, after the name "Alabama," I move to amend the amendment by inserting the words "and Salisbury, N. C."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Military Affairs was, on page 7, after line 2, to insert:

To the city of Alturas, in the State of California, for the use of the General Canby Post, No. 165, Grand Army of the Republic, two condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls, to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to insert:

To the city of Red Bluff, in the State of California, for the use of the Mansfield Post, No. 75, Grand Army of the Republic, two condemned fieldpieces or cannon, with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 7, after line 13, to insert:

To the town of Corning, Cal., for the use of the Maywood Post, No. 184, Grand Army of the Republic, two condemned bronze or brass fieldpieces, with their carriages, with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to

The next amendment was, on page 7, after line 19, to insert:

To the town of Anderson, Cal., two condemned bronze or brass cannon or fieldpieces, with their carriages, for the use of Winchester Post, No. 186, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, at the top of page 8, to insert:

To the town of Columbia, Cal., for the use of the Columbia Post, No. 141, Grand Army of the Republic, two condemned mortars or cannon, with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 8, after line 5, to insert:

To the city of Redding, Cal., for use at E. F. Winslow Post, No. 79, Grand Army of the Republic, two condemned 12-pound bronze or brass cannon or fieldpieces, with their carriages, with a suitable amount of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 8, after line 11, to insert:

To the town of Newcastle, State of California, for the use of Colonel E. D. Baker Post, Grand Army of the Republic, two condemned bronze or brass cannon or fieldpieces, with their carriages, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 8, after line 16, to insert:

To the city of Downieville, State of California, for use at John C. Fremont Post, No. 152, Grand Army of the Republic, two small condemned bronze cannon, with their carriages and six cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 8, after line 22, to insert:

To the city of San Andreas, Cal., two condemned bronze cannon, mounted on carriages, for use at Chickamauga Post, No. 115, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 9, after line 2, to insert:

To the city of Nevada City, Cal., two obsolete pieces of ordnance, together with their carriages for mounting, and 12 cannon balls, for use at Chattanooga Post, No. 115, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to insert:

To the city of Auburn, Cal., two condemned 12-pound bronze cannon, for use at Belmont Post, No. 101, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 9, after line 13, to insert:

To the city of Placerville, Cal., two condemned bronze or brass cannon or fieldpieces, together with their carriages and 12 cannon balls, for use at Placerville Post, No. 108, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. JONES. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. It is proposed to insert at the end of the bill the following:

To each of the cities of Olympia, North Yakima, Ellensburg, Walla Walla, Vancouver, Wenatchee, Bellingham, and Everett, State of Washington, two bronze cannon or fieldpieces, with their carriages and outfit of cannon balls, the same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. POMERENE. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. To follow the amendment just adopted, it is proposed to insert:

To the city of Bellevue, Ohio, two condemned bronze or brass cannon or fieldpieces, with their carriages and with a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

Mr. WILLIAMS. Mr. President, if it be in order, I should like to suggest another amendment:

Also one bronze cannon at some place in Mississippi to be hereafter selected.

[Laughter.]

Mr. BACON. I hope I may be permitted to amend that by putting Georgia also in the same category. The place has not yet been selected, but I have no doubt it would like to have the cannon.

Mr. MARTINE of New Jersey. I do not believe there are cannon enough to go around, Mr. President. [Laughter.]

Mr. BRADLEY. Mr. President, they want to shoot some down in Kentucky [laughter], and so I move an amendment to be inserted after the one just offered by the Senator from Ohio and agreed to.

The PRESIDENT pro tempore. The amendment of the Senator from Kentucky will be stated.

The SECRETARY. After the amendment just adopted it is proposed to add:

To the city of Lancaster, Ky., one condemned bronze or brass cannon or fieldpiece, with carriage and a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. SMITH of Michigan. After the amendment providing for Kentucky I desire to add an amendment providing a bronze cannon with suitable outfit for Hillsdale, Mich.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan will be stated.

The SECRETARY. It is proposed to add after the amendment just inserted:

To the city of Hillsdale, Mich., one condemned bronze or brass cannon or fieldpiece, with carriage and a suitable outfit of cannon balls.

Mr. TOWNSEND. In the amendment offered by the senior Senator from Michigan, with reference to Hillsdale, I desire to add a similar provision to apply to Jackson and Ann Arbor.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. Insert in the amendment offered by the senior Senator from Michigan [Mr. SMITH] the words "Jackson and Ann Arbor," so as to make the amendment read:

To each of the cities of Hillsdale, Jackson, and Ann Arbor, in the State of Michigan, one condemned bronze or brass cannon or fieldpiece, with carriage and suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BACON. Mr. President, I desire to move an amendment to provide for cannon and cannon balls for the State capitol grounds in Atlanta, Ga.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After the amendments heretofore adopted, insert:

To the city of Atlanta, Ga., to adorn the State capitol grounds in that city, one condemned brass or bronze cannon, with suitable outfit of cannon balls.

The PRESIDENT pro tempore. Will the Senator from Georgia give the Chair his attention? Did the Senator's amendment provide for one or two cannon?

Mr. BACON. Just as many as we may be permitted to secure. I think about four for the capitol grounds would be appropriate.

Mr. SMITH of Georgia. There are four corners to the grounds. [Laughter.]

Mr. BACON. It is a quadrangle, and I think one at each corner would be very appropriate for the grounds around the capitol building.

The PRESIDENT pro tempore. The amendment as modified will be stated.

The SECRETARY. It is proposed to insert:

To the city of Atlanta, Ga., for the adornment of the State capitol grounds in that city, four condemned bronze or brass cannon or fieldpieces, with their carriages, and with a suitable outfit of cannon balls for each, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. CRAWFORD. I will ask that immediately after that some provision be made for the State capitol grounds at Pierre, S. Dak.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert:

To the city of Pierre, S. Dak., for the adornment of the State capitol grounds in that city, four condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls for each, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. CATRON. Mr. President, immediately following the amendment that has just been agreed to I ask that a similar amendment be inserted providing cannon for the State capitol grounds at Santa Fe, N. Mex.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert:

To the city of Santa Fe, N. Mex., for the adornment of the State capitol grounds in that city, four condemned bronze or brass cannon or fieldpieces, with their carriages and a suitable outfit of cannon balls, same to be subject at all times to the order of the Secretary of War.

The amendment was agreed to.

Mr. MARTINE of New Jersey. Mr. President, I beg to say that the State of New Jersey is not asking for any cannon. I desire to say at the same time that the little State of New Jersey furnished more troops for the late war, according to her population, than any other State in the Union. I have no further request to make.

The PRESIDENT pro tempore. Without objection, the proviso, on page 5, lines 15, 16, and 17, will be transposed to come in after the amendments agreed to at the end of the bill. The Secretary will state the proviso.

The Secretary read as follows:

Provided, That no expense shall be incurred by the United States through the delivery of any of the foregoing condemned military equipment.

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

The amendments were ordered to be engrassed, and the bill to be read a third time.

The bill was read a third time and passed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of unobjected pension bills on the calendar. There are only four of them and one contains only a single name, and we can dispose of them in a very few minutes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota? The Chair hears none and the first pension bill on the calendar will be stated.

The bill (H. R. 24016) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was announced as the first pension bill in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 7, before the word "Ohio," to insert "Regiment," so as to make the clause read:

The name of Ephraim A. Adams, late of Company D, Twelfth Regiment Ohio Volunteer Infantry, and Company H, Twenty-third 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 amendment was agreed to.

The next amendment was, on page 3, line 15, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of David R. Shockey, late of Company G, Twenty-second 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 amendment was agreed to.

The next amendment was, on page 4, line 7, before the word "dollars," to strike out "twenty-four" and insert "twelve," so as to make the clause read:

The name of William T. Bowden, late of Company C, Tenth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 5, to strike out:

The name of Seborn J. Mullins, late of Company B, First Regiment Georgia Volunteers, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 14, after the word "Massachusetts," to strike out "Volunteers" and insert "Volunteer Infantry," so as to make the clause read:

The name of Alexander Hastings, late of Company H, Sixth 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 amendment was agreed to.

The next amendment was, on page 5, line 19, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Richard J. Burges, late of Company A, 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.

Mr. McCUMBER. I hope the Senate will disagree to the committee amendment from information which has since come to our attention.

The amendment was rejected.

The next amendment was, on page 7, line 3, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Jacob Lutz, late of Company F, Sixty-sixth 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 amendment was agreed to.

The next amendment was, on page 7, line 19, before the word "Missouri," to insert "Regiment," so as to make the clause read:

The name of Godfrey Ferber, late of Company C, Fourth Regiment Missouri Volunteer Infantry, and Battery C, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 23, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Lester J. Dack, late of Company L, Tenth 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 amendment was agreed to.

The next amendment was, on page 9, line 15, before the word "Illinois," to insert "Regiment," so as to make the clause read:

The name of William Denham, late of Company E, Fifth Regiment Tennessee Volunteer Infantry, and Company I, Sixty-sixth 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 amendment was agreed to.

The next amendment was, on page 9, after line 17, to strike out:

The name of David C. Marshall, late of Companies M and A, Sixth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, line 1, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Andrew Row, late of Company A, Forty-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 amendment was agreed to.

The next amendment was, on page 10, after line 14, to strike out:

The name of Sarah B. Scott, widow of William G. Scott, late of First Battalion Sixteenth Regiment United States Infantry and hospital steward United States Army, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 23, before the word "widow," to insert "former," so as to make the clause read:

The name of Olga H. Updegraff, former widow of James C. Updegraff, late of Third Battery Indiana Volunteer Light Artillery, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 5, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of John T. Stansbury, late of Alexander's Baltimore Battery Maryland Volunteer Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 20, to strike out:

The name of Annie Oleson, widow of Ole Oleson, second, late of Company H, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Joseph H. George, late of Company I, Forty-ninth Regiment Illinois Volunteer Infantry, and Company I, 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 amendment was agreed to.

The next amendment was, on page 15, line 11, before the word "Infantry," to strike out "Volunteer," so as to make the clause read:

The name of Lucretia Tanner, former widow of Elijah Kelsey, late of Company G, Fifty-eighth Regiment New York State Militia Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 16, to strike out:

The name of Dora Emmons, widow of James Emmons, late of Company F, Tenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. McCUMBER. I hope the amendment will be rejected.

The amendment was rejected.

The next amendment was, on page 16, line 3, before the word "Indiana," to insert "Regiment," so as to make the clause read:

The name of John F. Trulock, late of Company H, Ninety-first Regiment Indiana Volunteer Infantry, and Company D, Seventh 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 amendment was agreed to.

The next amendment was, on page 16, line 13, before the word "Maine," to insert "Regiment," so as to make the clause read:

The name of Abbie J. Genthner, helpless and dependent child of Isaiah Genthner, late of Third Battery Maine Volunteer Light Artillery, and Company G, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 5, before the words "United States Infantry," to insert "Regiment," so as to make the clause read:

The name of Thomas Butler, late of Company F, First Regiment Wisconsin Volunteer Cavalry, and Company C, Thirty-seventh Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 14, before the words "United States Cavalry," to insert "Regiment," so as to make the clause read:

The name of Anson B. Carney, late of Company B, Eightieth Regiment New York Volunteer Infantry, and Company G, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 10, to strike out:

The name of Chesley Goldsby, late of Companies A and B, Eighteenth 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 amendment was agreed to.

The next amendment was, on page 20, line 18, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Henry W. Eno, late of Company K, One hundred and sixteenth 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 amendment was agreed to.

The next amendment was, on page 21, line 1, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of John Howard, late of Company C, Second Regiment New York Volunteer Mounted Rifles, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 14, to strike out:

The name of Thomas Tigue, alias Thomas Tobin, late of Company C, Twenty-second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 21, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Wilt Rippey, late of Company F, Sixty-first 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 amendment was agreed to.

The next amendment was, on page 24, line 9, before the word "Pennsylvania," to insert "Regiment," so as to make the clause read:

The name of Joseph Hampton, late of Company E, One hundred and twenty-fourth Regiment, and Company D, Two 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 receiving.

The amendment was agreed to.

Mr. McCUMBER. On page 24, I move to strike out lines 12 to 15, inclusive, as the proposed beneficiary has died since the bill was reported.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 24 it is proposed to strike out lines 12 to 15, inclusive, as follows:

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

The amendment was agreed to.

The next amendment was, on page 24, line 16, after the words "United States ships," to strike out "Claradolson" and insert "Clara Dolson," so as to make the clause read:

The name of James Meikle, late seaman United States ships Clara Dolson, Avenger, and Great Western, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 22, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Ezra Salter, late of Company C, 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 amendment was agreed to.

The next amendment was, on page 25, line 12, before the word "Mounted," to insert "Volunteer," and in line 13, before the word "Infantry," to strike out "Volunteer," so as to make the clause read:

The name of Merida Wilson, late of Company G, Thirty-seventh 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 amendment was agreed to.

The next amendment was, on page 26, line 18, before the word "Mounted," to insert "Volunteer," and in line 19, before the word "Infantry," to strike out "Volunteer," so as to make the clause read:

The name of Francis M. Ryder, late of Company H, 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 amendment was agreed to.

The next amendment was, on page 27, line 21, before the words "United States," to insert "Regiment," so as to make the clause read:

The name of Eugene Partridge, late of Company C, Forty-fourth Regiment New York Volunteer Infantry, and Company F, Seventy-eighth 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 amendment was agreed to.

The next amendment was, on page 33, after line 15, to strike out:

The name of Mary Newell, widow of Samuel Newell, late of Company I, One hundred and thirty-third 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 amendment was agreed to.

The next amendment was, on page 33, line 22, before the word "Artillery," to insert "Light," so as to make the clause read:

The name of Richard McCarron, late of Second Battery, Massachusetts Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, line 15, before the word "Maine," to insert "Regiment," so as to make the clause read:

The name of Augustine Babcock, late of Company F, Nineteenth Regiment Maine Volunteer Infantry, and Company F, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 35, line 22, after the name "John," to strike out "Hanrey" and insert "Haurey," so as to make the clause read:

The name of John Haurey, late of Company G, 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 amendment was agreed to.

The next amendment was, on page 36, line 3, before the word "Indiana," to insert "Regiment," so as to make the clause read:

The name of John F. Dumont, late of Company I, First Regiment Missouri Volunteer Cavalry, and Company D, Seventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The bill (S. 7160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following persons at the rate stated:

Susannah Roberts, widow of Evan Roberts, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, $20 per month.

John Hedge, late of Company I, Fortieth Regiment United States Colored Volunteer Infantry, $24 per month.

Albert Whitehead, late of Company B, Thirty-seventh Regiment Illinois Volunteer Infantry, $30 per month.

Henry Ackerman, late of Company F, One hundred and fourth Regiment Illinois Volunteer Infantry, $36 per month.

Edward S. Clithero, late of Company D, One hundred and sixteenth Regiment Ohio Volunteer Infantry, $40 per month.

Almond Partridge, late of Company B, Sixty-fourth Regiment Ohio Volunteer Infantry, $50 per month.

Gustavus A. Kindblade, late of Company G, Fourth Regiment Iowa Volunteer Infantry, $50 per month.

Martin Parker, late of Company H, Eleventh Regiment Kansas Volunteer Cavalry, $50 per month.

Benjamin F. Adams, alias Franklin B. Adams, late of Company H, Second Regiment Pennsylvania Volunteer Infantry, $30 per month.

Augustus A. Nauman, late of Company A, Thirty-first Regiment Iowa Volunteer Infantry, $50 per month.

Mary Byrne, widow of John Byrne, late major and lieutenant colonel One hundred and fifty-fifth Regiment New York Volunteer Infantry, $30 per month.

Mary C. Smith, widow of George A. Smith, late of Company B, Twenty-first Regiment Iowa Volunteer Infantry, $12 per month.

E. Leora Norris, widow of David H. Norris, late of Company E, Eleventh Regiment Michigan Volunteer Infantry, $20 per month.

Augustus C. D. Wilson, late of Company A, Seventh Regiment Iowa Volunteer Cavalry, $30 per month.

Alice O. Lord, widow of Frederick C. Lord, late captain Company L, Thirteenth Regiment New York Volunteer Cavalry, and Company C, Third Regiment New York Provisional Volunteer Cavalry, $12 per month.

Julius T. Morse, late of Company E, Fifth Regiment Massachusetts Volunteer Infantry, $40 per month.

Henrietta V. Hawley, widow of Willis C. Hawley, late of Company K, Seventeenth Regiment Vermont Volunteer Infantry, $12 per month.

Charles E. Sherman, late of Company G, Twelfth Regiment Rhode Island Volunteer Infantry, $40 per month.

Jennie M. Smalley, widow of Edward F. Smalley, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, $20 per month.

Samuel N. West, late of Company G, Twenty-sixth Regiment Indiana Volunteer Infantry, $50 per month.

James V. D. Ten Eyck, late of Company A, Thirtieth Regiment New Jersey Volunteer Infantry, $40 per month.

Nellie L. Davis, widow of Jared M. Davis, late of Company E, Fifth Regiment New Hampshire Volunteer Infantry, $20 per month.

Jerome S. Pinney, late of Company G, Battalion, First Regiment Minnesota Volunteer Infantry, $24 per month.

James E. C. Sawyer, late of Company I, Fourth Regiment Maine Volunteer Infantry, $18 per month.

Julius E. Henderson, late of Company B, Sixtieth Regiment Ohio Volunteer Infantry, $30 per month.

William L. Baird, late second lieutenant Company L, Fourth Regiment Massachusetts Volunteer Heavy Artillery, $30 per month.

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

The bill (H. R. 20362) granting a pension to Catherine Wise was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catherine Wise, widow of John Wise, late of the Detachment of Artillery, United States Military Academy, and pay her a pension of $12 per month.

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

The bill (H. R. 25713) 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, was considered as in Committee of the Whole. It proposes to pension the persons named at the rates stated:

James A. Dickinson, late of Company K, Sixth Regiment Ohio Volunteer Infantry, War with Spain, $12 per month.

James Campbell, late of Company G, Tenth Regiment United States Infantry, War with Spain, $12 per month.

Joseph G. Long, late of Capt. Cone's company, First Regiment Florida Mounted Volunteers, Florida war with Seminole Indians, $16 per month in lieu of that he is now receiving.

William S. Smith, late of Company K, Twenty-first Regiment Kansas Volunteer Infantry, War with Spain, $8 per month.

Jackson A. Watkins, late of Company D, Fifth Regiment United States Infantry, $6 per month.

Peter Peterson, late of Company A, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, $12 per month.

James B. White, late of Company A, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, $12 per month.

William J. Abrams, late of Troop C, Second Regiment United Sates Volunteer Cavalry, War with Spain, $6 per month.

The bill had been reported from the Committee on Pensions with an amendment, on page 2, line 1, after the word "Company," to strike out "C" and insert "G," so as to read "Company G."

The amendment was agreed to.

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

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

The bill was read the third time and passed.

EDGAR ALLAN, JR.

Mr. SWANSON. I ask unanimous consent to call up for present consideration the bill (S. 7427) for the relief of Edgar Allan, jr.

Mr. SMOOT. I hope the bill is not a long one.

Mr. SWANSON. It is a very short one.

Mr. SMOOT. I really think if we are going to the calendar we should begin at the beginning, but I shall not object to this bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to credit in the accounts of Edgar Allan, jr., postmaster at Richmond, Va., $17,788.30 for postal funds, postage stamps, and other stamped paper, on account of losses resulting from burglary March 27, 1910, now standing against him on the books of the Treasury Department.

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

AMENDMENT OF COPYRIGHT ACT.

Mr. MARTINE of New Jersey. I ask unanimous consent for the present consideration of the bill (H. R. 24224) to amend sections 5, 11, and 25 of an act entitled "An act to amend and consolidate the acts respecting copyrights," approved March 4, 1909.

Mr. OVERMAN. Under the notice given by the Senator from Utah——

Mr. O'GORMAN. There are certain reasons why the bill referred to by the Senator from New Jersey should be passed. It is unanimously recommended by the committee. There can be conceivable objection to it.

Mr. MARTINE of New Jersey. It will cause no discussion. All parties in interest have agreed to the bill.

Mr. SMOOT. I am fully aware of the provisions of the bill, and I have no objection to them. The only question is whether we ought to take up the bill out of its order on the calendar.

Mr. O'GORMAN. We have done that with several other matters on the calendar, with the consent of the Senator.

Mr. SMOOT. I withdraw my objection.

The PRESIDENT pro tempore. The bill has heretofore been read.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

JAMES E. C. COVEL.

Mr. JONES. The other day when the bill (S. 7378) for the relief of James E. C. Covel was reached, it was passed over at the request of the junior Senator from Georgia [Mr. SMITH]. I have no interest in the bill except that I reported it, and I consider it one of the most meritorious bills of this kind we have ever had before the Senate.

Mr. SMITH of Georgia. If I had known at the time the facts, which have since been explained to me, I would not have objected.

Mr. JONES. I ask unanimous consent that we now proceed to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, James E. C. Covel, who was a second lieutenant of Company H, Sixteenth Regiment Iowa Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably as a member of said company and regiment on the 14th day of April, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The amendment was agreed to.

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

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

HARRY S. WADE.

Mr. SMOOT. I move that the Senate adjourn.

Mr. CRAWFORD. Will the Senator before a vote is put upon that motion allow me to call up a claims bill (H. R. 15181)? It is a very appealing case. The beneficiary has lost both eyes and is deaf. It ought not to be postponed.

Mr. SMOOT. I expect that the calendar will be taken up——

Mr. CRAWFORD. There is an amendment to this bill which will require adjustment between the two Houses. It will not take five minutes to dispose of it.

Mr. WILLIAMS. What is the bill?

Mr. CRAWFORD. It is a personal-injury claim where a man, a Government employee, has through accident lost his sight entirely and his hearing in part, and it is a very appealing case. The committee report an amendment and it will have to be adjusted between the two Houses.

Mr. WILLIAMS. I shall not object to this bill, but it will be 6 o'clock now within four minutes, and there ought to be some regular hours, and I shall object to any other request for unanimous consent after this bill is disposed of.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Claims with an amendment, on page 1, line 6, before the word "thousand," to strike out "two" and insert "one," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry S. Wade the sum of $1,500, in full compensation for injuries received by him on May 16, 1911, while in the performance of his duties as an employee of the United States Government, being a machine driller engaged in drilling holes for blasting in connection with the construction of the Celilo Canal, Columbia River improvement, at Big Eddy, Wasco County, Oreg.

The amendment was agreed to.

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

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

The bill was read the third time and passed.

SEAMEN IN THE MERCHANT MARINE.

Mr. LA FOLLETTE. Mr. President——

Mr. SMOOT. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I wish to make an inquiry about the bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen, which came to the Senate from the House, having passed the House, and was referred to the Committee on Commerce.

That bill has been struggling to get through Congress for 18 years, and I want, from the chairman of the Committee on Commerce or some other member of that committee, to ascertain whether there is any prospect of this bill receiving early consideration.

Mr. NELSON. As soon as that bill came to the Committee on Commerce, being a bill of considerable importance, it was referred to a subcommittee of five members. The subcommittee had it under consideration for a brief time and finally, at the last meeting of the committee, when there was not a quorum present, I was advised by the subcommittee that they were unable to dispose of it at this session. I see two members of the subcommittee present, the Senator from Virginia [Mr. MARTIN] and the Senator from South Dakota [Mr. CRAWFORD], to give the Senator from Wisconsin some further information on the subject. My understanding was that the subcommittee felt that they could not dispose of the bill at the present session of Congress, and for that reason they were not ready to report to the full committee.

Mr. LA FOLLETTE. I should like to inquire of the Senator from South Dakota, who is a member of the subcommittee, whether any action has been taken by the subcommittee looking to an early report on the bill?

Mr. CRAWFORD. I will say that the bill did not reach the Senate until quite late in the session—only a few weeks ago. It was pending in the House for a long time. The subcommittee had a meeting and had some hearings. A representative of the seamen was heard one night and some of the representatives of the shipping interests were heard.

The bill, in its general features, I think I am safe in saying, we favor, but in its details there are very important questions involved, and it was so near the end of the session that after the hearing the subcommittee came to the conclusion that it would be impossible, on account of conditions in the Senate and the lateness of the time, to get it back in season for us to have a hearing in the Senate, and the subcommittee so reported to the committee last Thursday.

The subcommittee did decide that in the last week of November, before the regular session begins, it would give a week to the consideration of the bill; that the members of the subcommittee would come on here to Washington for that purpose, and the parties interested were to be notified in the meantime to present in a short, crisp way their objections to the bill, so that the committee might do effective work in considering it during the week preceding the beginning of the regular session, with a view to getting in a report early in the session, so that the bill might come up without any undue delay for disposition at the next session.

That is the situation in regard to it.

THE PANAMA CANAL (H. DOC. NO. 914).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Interoceanic Canals and ordered to be printed:

To the Senate and House of Representatives:

Congress has passed a bill for the government of the Panama Canal when it shall have been completed, in section 5 of which it is provided that no tolls shall be levied upon vessels engaged in the coastwise trade of the United States. Under existing law no vessels but those of the United States can engage in the coastwise trade. The same bill provides for the imposition, within the discretion of the President, of tolls not exceeding $1.25 per net registered ton upon all other vessels using the canal.

In the debates in the House and Senate it was contended that this was a discrimination in favor of vessels of the United States in violation of the following provision of the Hay-Pauncefote treaty:

The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect to the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable. (Art. 3, sec. 1, p. 1904.)

After full examination of the Hay-Pauncefote treaty and of the treaty which preceded it, I feel confident that the exemption of the coastwise vessels of the United States from tolls and the imposition of tolls on vessels of all nations engaged in the foreign trade is not a violation of the Hay-Pauncefote treaty. But distinguished lawyers in the House and Senate differ from this construction, and the Secretary of State has received an informal protest from the British Government that the contemplated legislation is a violation of her treaty rights.

The necessity for the enactment of the provisions of the bill looking to the maintenance and government of the canal I have already explained in a special message, and this necessity makes me anxious to sign the bill. On the other hand, the question of the foreign relations of the Government is one in respect of which the Executive has especial responsibility, and such a protest from a friendly government, supported as it is by the expressed views of distinguished Members of both Houses, invites the greatest care and the closest examination on our part of our rights under our treaties, with a view to preserving national honor and observing our solemn obligations.

I am sure that it is not the intention of Congress to violate the Hay-Pauncefote treaty or to enact anything inconsistent with its provisions, and that it certainly is not its purpose to repeal, by subsequent enactment, the treaty, in so far as it represents the law of the land. It is of the highest importance, however, that this attitude should be made clearly known to the nations of the world, and that we should avoid any apparent justification for criticism.

I suggest, therefore, that before the time has elapsed in which I am called upon to express approval or disapproval of this bill Congress consider the wisdom of passing a joint resolution of the following tenor:

That nothing contained in the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone," shall be deemed to repeal any provision of the Hay-Pauncefote treaty, or to affect the judicial construction thereof, or in any wise to impair any rights or privileges which have been or may be acquired by any foreign nation under the treaties of the United States relative to tolls or other charges for the passage of vessels through the Panama Canal, and that when any alien, whether natural person, partnership, company, or corporation, considers that the charging of tolls or the enforcement of any other regulation under and pursuant to the provisions of this act violates in any way any such treaty rights or privileges, such alien shall have the right to bring an action against the United States for a redress of the injury which he considers himself to have suffered, and the district courts of the United States are hereby given jurisdiction to hear and determine such cases and to decree the appropriate relief, and from the decision of such district courts there shall be an appeal by either party to the action to the Supreme Court of the United States, or, in the alternative, that Congress recall the bill, and insert the foregoing as an amendment to the bill.

Unless some such clause is embodied in the law, it would probably be contended that the legislative construction of the treaty given by Congress in enacting the law is binding upon our courts when the question of the rights of aliens under the treaty comes before them. The foregoing provision would avoid such effect and would leave the matter entirely free to judicial construction, unaffected by the political decision of either the executive or legislative branch of the Government.

This language negatives absolutely any desire on the part of Congress to repeal the Hay-Pauncefote treaty or to violate its provisions by this legislation, and leaves open to any person who deems himself aggrieved by the provisions of the act an opportunity to appeal to our courts.

I think the importance of our standing before the world as anxious to give to the world an opportunity to test this question in the courts is an earnest of our good faith in attempting to keep within our treaty obligations.

WM. H. TAFT.

THE WHITE HOUSE, *August 19, 1912.*

Mr. SMOOT. I move that the Senate adjourn.

The motion was agreed to, and (at 6 o'clock and 3 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, August 20, 1912, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 19, 1912.*

The House met at 10.30 o'clock a. m.

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

As the heavens declare Thy glory, O God, our Father, and the firmament sheweth Thy handiwork; as day unto day uttereth speech and night unto night sheweth knowledge; as Thy love was poured out through the heart of the Christ unto the children of men, so may we reflect Thy glory and Thy love in life's daily duties and in our conduct toward our fellow men, and thus prove ourselves worthy of Thy love and care. In the spirit of the Master who died that we might live. Amen.

The Journal of the proceedings of Saturday, August 17, 1912, was read and approved.

GRACE G. JACKSON.

Mr. LLOYD. Mr. Speaker, I present the following privileged House resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 636 (H. Rept. 1210).

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized to pay, out of the contingent fund of the House, to Grace G. Jackson, widow of the Hon. U. S. Jackson, late Sergeant at Arms of the House, a sum equal to six months of his salary as such an officer, and an additional amount, not exceeding $250, for the payment of funeral expenses.

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

The resolution was agreed to.

RICHARD C. COLLINS.

Mr. LLOYD. Mr. Speaker, I also present the following privileged House resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 641 (H. Rept. 1211).

Resolved, That there shall be paid out of the contingent fund of the House the sum of $500 to Richard C. Collins for clerical services rendered the Committee on Mileage in the payment and computing of the mileage of Members and Delegates.

Mr. LLOYD. Mr. Speaker, this amount is usually paid to some officer in the office of the Sergeant at Arms. In this instance the work was performed by the clerk of the committee, and the payment is made to the clerk of the committee instead of to an officer in the Sergeant at Arms' office.

Mr. MANN. Mr. Speaker, what salary does the clerk of this committee now get?

Mr. LLOYD. He gets no salary. It is the Mileage Committee. The work is done by the clerk of the Mileage Committee instead of by Mr. Estey, as heretofore. Mr. Estey has performed the work of the clerk of the committee heretofore and has received $500 for it.

Mr. MANN. And the clerk of the committee receives no salary?

Mr. LLOYD. No salary.

Mr. MANN. Then the committee has no clerk?

Mr. LLOYD. The committee has no clerk.

Mr. LAFFERTY. Oh, I beg pardon, but the committee utilizes the private secretary of the chairman.

Mr. MANN. I am not speaking of that. The committee has no clerk.

Mr. LLOYD. That is correct.

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

The resolution was agreed to.

MICHAEL DOYLE.

Mr. LLOYD. Mr. Speaker, I also present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 659 (H. Rept. 1209).

Resolved, That the Clerk of the House is authorized to pay Michael Doyle for services rendered as a Capitol policeman from May 1 to May 17, inclusive, 1911, $49.58.

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

The resolution was agreed to.

MESSENGERS IN THE POST OFFICE.

Mr. LLOYD. Mr. Speaker, I also present the following privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 671 (H. Rept. 1208).

Resolved, That seven messengers in the post office of the House now authorized to be employed during the session may continue to be employed during the period between the adjournment of the present session and the beginning of the next session of Congress and be paid out of the contingent fund of the House.

Mr. MANN. Mr. Speaker, how many messengers do they have in the post office now?

Mr. LLOYD. They have 14 session messengers, and it has been customary heretofore to provide for the continuance of 7 of these session messengers during the vacation period. This is the usual resolution that has been adopted by the House every year.

Mr. MANN. Mr. Speaker, will the gentleman from Missouri yield me two or three minutes?

Mr. LLOYD. Certainly.

Mr. MANN. Mr. Speaker, while we are considering matters from the Committee on Accounts I would like to call the attention of the Committee on Accounts, or the attention of officers of the House, to a matter that I think requires attention.

The State of New Mexico was admitted into the Union on January 6 and the State of Arizona on February 14 of this year, although I find that the Congressional Directory, which was issued in April of this year, and which publishes a list of the Senators with the terms of their expiration, had not at that time discovered that fact, nor have the officers of the House discovered the fact. The law provides that when a State is admitted to the Union a new star shall be added to the flag on the 1st day of the following July, which would require the additional stars for these new States on the first of the new fiscal year, and yet every day I am obliged, in looking at the delightful countenance of the Speaker, to notice that the flag which hangs draped over his desk is minus the stars that ought to be added and which under the law are required to be added upon the 1st day of July. I hope that the Committee on Accounts and the officers of the House will provide a flag that is up to date.

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

The resolution was agreed to.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. This is Unanimous Consent Calendar day. The Clerk will call the first bill on the Unanimous Consent Calendar.

SEMINOLE ALLOTTEES.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 23184) directing the Secretary of the Interior to deliver patents to Seminole allottees, and for other purposes.

The SPEAKER. The Chair will make a suggestion to the Members about the Unanimous Consent Calendar, to expedite matters. This is a very long calendar, of six or seven pages. If any gentleman has resolutely made up his mind to object to a bill, he ought to do it when the title is announced, and not wait to consume time to have the bill read.

Mr. MANN. Well, Mr. Speaker, if it will accommodate the Chair, I will object to this bill.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar.

The next bill has been passed, and the Clerk will call the next one.

INCREASING LIMIT OF COST OF CERTAIN PUBLIC BUILDINGS.

The next business on the Calendar for Unanimous Consent was the bill (S. 6688) to repeal section 13 of the act approved March 2, 1907, entitled "An act amending an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes.'"

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That section 13 of an act entitled "An act amending an act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes,'" approved March 2, 1907, which authorizes and directs the Secretary of War to convey to the purchaser from the United States of square 1131, the south part of square 1117, and the squares south of squares 1123, 1148, and 1149, in the city of Washington, all the interest of the United States in the land lying south of the squares so purchased and between them and the channel of the Anacostia River upon the payment by such purchaser into the Treasury of the United States of such sum of money as the said Secretary of War, upon consideration of all the circumstances, shall determine proper to be paid for said land, and which authorizes and directs the surveyor of the District of Columbia to mark out such land and determine the areas and to record a plat thereof, be, and the same is hereby, repealed.

The SPEAKER. This bill is on the Union Calendar.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

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

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

CONFEDERATE CEMETERY, LITTLE ROCK, ARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 24365) providing for the taking over by the United States Government of the Confederate cemetery at Little Rock, Ark.

The Clerk read as follows:

Be it enacted, etc., That the Confederate cemetery in Little Rock, Ark., and which adjoins the national cemetery at that place, having been tendered by proper authority to the United States Government, the same is hereby accepted, under the conditions that the Government shall take care of and properly maintain and preserve the cemetery, its monument or monuments, headstones, and other marks of the graves, its walls, gates, and appurtenances, to preserve and keep a record, as far as possible, of the names of those buried therein, with such history of each as can be obtained, and to see that it is never used for any other purpose than as a cemetery for the graves of men who were in the military or naval service of the Confededate States of America: *Provided*, That organized bodies of ex-Confederates or individuals shall have free and unrestricted entry to said cemetery for the purposes of burying worthy ex-Confederates, for decorating the graves, and for all other purposes which they have heretofore enjoyed, all under proper and reasonable regulations and restrictions made by the Secretary of War.

SEC. 2. That the Secretary of War, under this act, is directed to take the necessary steps for the proper transfer of the cemetery to the Government, and when the same has been duly completed, to put it in charge of the keeper of the national cemetery at Little Rock, Ark., requiring him to exercise the same care in the preservation, beautifying, and caretaking generally as is done in regard to the national cemetery; also that a suitable gate or entryway be made in the stone wall which now divides the two cemeteries so that persons may readily pass from one to the other. Whatever additional funds may be required for the purpose of carrying out the provisions of this act shall be paid out of any fund which may be available for the maintenance of national cemeteries.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object——

The SPEAKER. This bill is on the Union Calendar.

Mr. JACOWAY. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union.

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

Mr. MANN. I will withdraw my objection. The gentleman from Arkansas has agreed to changes in the form of section 1, and I move to strike out section 1 and offer the amendment agreed on, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out section 1 and inserting in lieu thereof the following:

"That the Secretary of War is hereby authorized to accept a conveyance to the United States of the Confederate cemetery at Little Rock, Ark., which adjoins the national cemetery at that place, and when so accepted the Government shall take care of and properly maintain and preserve the cemetery, its monument or monuments, headstones, and other marks of the graves, its walls, gates, and appurtenances, and preserve and keep a record, as far as reasonably practicable, of the names of those buried therein, with such history of each as can be obtained, and to see that it is never used for any other purpose than a cemetery for the graves of men who were in the military or naval service of the Confederate States of America: *Provided*, That organized bodies of ex-Confederates or individuals shall have free and unrestricted entry to said cemetery for the purpose of burying worthy ex-Confederates, for decorating the graves, and for all other purposes which they have heretofore enjoyed, all under proper and reasonable regulations and restrictions made by the Secretary of War."

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

Mr. CANNON. Mr. Speaker, may I ask the gentleman from Arkansas a question? There is a Union cemetery for the burial of Union soldiers there. What is the area? Does the gentleman know how much that is?

Mr. JACOWAY. I will state for the benefit of the gentleman from Illinois that I am unable to give that information, but I should think it was something like 15 or 20 acres, probably.

Mr. CANNON. Is it filled up?

Mr. JACOWAY. The Confederate cemetery?

Mr. CANNON. No; the Union cemetery.

Mr. JACOWAY. Fairly well.

Mr. CANNON. What is the area of that?

Mr. JACOWAY. I should think it is about similar to that of the Confederate cemetery.

Mr. CANNON. Is it filled with graves?

Mr. JACOWAY. Fairly well filled, I think.

Mr. CANNON. I think the bill is a very proper one. With the living dwelling together in the House and Senate and the courts, I do not know that there is any necessity for it, but if the other could be taken for a Federal cemetery, provided it was required for Union soldiers, or vice versa. I should have no objection to an amendment which would allow it.

Mr. JACOWAY. The bill as it now reads would provide only for the burial of the Confederate dead in the Confederate cemetery, and for the Federal dead, of course, in the Federal cemetery.

Mr. CANNON. This is long after the war. I should have no objection to the form of the bill, but the gentleman does not seem to know the area.

Mr. JACOWAY. I think there is ample room, both in the Federal cemetery and the Confederate cemetery. I do not think there is any question about that. I am quite sure this is true.

Mr. FLOYD of Arkansas. I think there is ample room in each to supply burial places for those entitled to be buried there, and the two cemeteries combined will be large enough to afford for future years ample room for the burial of veterans on both sides, separated just as they are now. I hope, therefore, there will be no objection, and that the bill will pass.

Mr. CANNON. I have no objection.

The SPEAKER pro tempore (Mr. SIMS). The question is on the amendment.

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

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

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

Mr. JACOWAY. Mr. Speaker, I do not want to trespass on the time of the House at this time, but I do want to say I thank the gentleman from Illinois [Mr. CANNON] for the graceful and kind expressions he has made in regard to this bill. [Applause, Democratic and Republican.]

Mr. Speaker, in presenting this bill, which provides for the taking over of the Confederate cemetery at Little Rock by the Federal Government, I trust I shall hear no voice raised in objection on either side of this Chamber. I hope no Member from the South will read into my intentions aught that could reflect in any way upon the cause our fathers loved and fought for; that no Member from the North will raise his voice to a single provision in the bill. A citizen of these United States, a Federal officeholder, and sworn by my oath of office to preserve and keep holy and inviolate the tenets of the Constitution, and at the same time a son of the South, and the old South, if you will, heir to her traditions and legatee to the things she loved, I can not feel that aught can be urged against this measure. In the South we do not believe that our brothers of the North hold rancor in their bosoms, nor that black waves of hate sweep through their hearts; we feel that the last vestige of bitterness was expunged from our minds by the Spanish fire at Santiago and San Juan Hill when North and South, brothers in arms, bore the Stars and Stripes to victory. It is such measures as these, Mr. Speaker, that I lay before this body, that are as balm of Gilead to the gaping wounds of war, if such be left as the result of that terrible conflict which broke the boughs of the tree of our national development between the years of 1861 and 1865. Forty-seven years ago the gallant and intrepid Lee laid down his arms at Appomattox to the brave and suffering Grant. Since then the mutating finger of time has pointed to numberless changes that have come and gone, and to-day, as we stand upon the isthmus of time that connects the past with the future, we live united, under one Government, under one flag, with a common language, a common goal, and a common God. The hot passions of fratricidal wrath have burned out in their own consuming flames, and, as we believe, Mason and Dixon's line is less than a "fast diminishing shadow." In this Chamber, where but some two score years and ten ago the murderous challenge and hot and stinging words swept back and forth, a representative of the South stands at the bidding and by the will of his people of the South and asks for the passage of a measure that will have as much to do, as I believe, in cementing an undying friendship between the North and the South as anything that could be done.

When the United States picked up the gantlet of Spain and the call went out for 100,000 men, no section of the country gave more gladly than the South. From the field and the forge and the forum, the arts, the sciences, and the professions, our young manhood went out at their country's call, and we point with pride to the fact that it was a southern man, if I recall my history correctly, commanding a gunboat named for a southern city, at whose command the first gun of the war was fired.

A southern man stood upon the bridge with Dewey at Manila when luster was added to American arms upon the high seas, and a southern man, an ex-Confederate, too, turned the tide when the day was all but lost at San Juan Hill, a gallant old cavalier who led the charge into the murk of parked artillery. Later, when he heard the distant call of taps and broke camp on earthly ground and laid down to peaceful dreams all that was mortal of Gen. Joseph Wheeler was laid to rest in Arlington, shrouded in the stars and bars of the Confederacy, intertwined with the folds of Old Glory, while multiplied thousands, North and South, mourned his passing. Peace to his ashes.

Each of the contending factions of the Civil War staked its life upon the justice of a principle. While I, who hail from the South, have abiding faith in the righteousness of the southern cause, I would not let fall unkindly from my lips this day one word that would reopen the old wounds of war or resurrect a cause that has long since been settled by the sword. Mine was the heritage of war. The South, returning bleeding from the red fields of carnage, found ashes where empire was, her fields in waste, her credit gone. But even before her bells had ceased to toll, her dead lying somewhere out beneath the stars upon her hillsides and her valleys, she gathered about her the shattered fragments of the past and built anew, and if "great she was in war sublime she has been in peace." Where soldiers trod her fields the plowshare bit; the screaming shrapnel found its echo in the whistle of the mill. In one year she has builded 4,500 miles of railway, has cut 13,000,000 feet of timber from her virgin forests, mined 4,000,000,000 tons of coal, has given $800,000,000 of wealth to our export trade, turned from her factories $3,000,000 of finished products, and as a fitting climax to her other multiplied and varied accomplishments added $2,000,000,000 to her real estate values. In the arts and the sciences and all professions and avocations, she has made progress commensurate with her other achievements. These facts, Mr. Speaker, write an eternal traverse upon the accusations of all who would criticise her unjustly.

In this connection it might not be amiss to mention in passing that State of the South which I have the honor in part to represent, Arkansas. In view of the ubiquity of the average American and the rapidity of present-day transit, it would be useless to exaggerate, and I shall keep to the facts of the case. Arkansas is the cosmopolitan among the States. With the gold of the Klondike she combines the diamonds of the Kimberly; with the rice of the Orient, the wheat of the West. The sugar cane and the apple grow side by side; the ostrich and the Leghorn hen. The millionaire of the East can find within her borders the iron to build his roads and the coal to stoke his engines; the Sultan of the Far East could deck his harem with her diamonds and pearls. The farmers of the whole world can purchase a tract of land and grow rich cultivating whatever crop they learned to grow in the old country. Her latchstring hangs on the outside of the door to those wanting and hungering for ideal homes and where the returns from an honest modicum of effort yield the greatest prosperity, blessings, and privileges that can be realized. To indicate, Mr. Speaker, what has been done within 10 years in my own congressional district, I beg leave to submit the following table of statistics:

ARKANSAS.

Fifth congressional district, comprising counties of Conway, Faulkner, Franklin, Johnson, Perry, Pope, Pulaski, and Yell.

	1910	1900
Number of farms	28,264	23,763
Total acreage	1,946,127	1,750,058
Improved acreage	1,023,382	858,334
Value of—		
Farm property	$46,011,359	$21,683,124
Land	27,808,215	12,711,630
Buildings	7,642,418	3,562,970
Implements and machinery	2,969,445	1,136,390
Domestic animals, poultry, and bees	8,591,281	4,272,134
Average value of land per acre	14.29	7.26

Average value of land per acre for selected counties.

	1910	1900
Conway	$14.97	$7.02
Faulkner	7.81	4.59
Franklin	12.14	5.32
Johnson	12.96	6.52
Perry	10.00	6.58
Pope	11.77	5.72
Pulaski	30.21	16.07
Yell	14.12	6.92

Value of all crops by counties, 1910.

[Comparative figures for 1900 not available.]

Conway	$2,246,410
Faulkner	2,068,121
Franklin	1,757,508
Johnson	1,551,496
Perry	656,725
Pope	2,232,739
Pulaski	3,222,994
Yell	2,411,949
Total for selected counties	16,147,942

County and city.	Population.		Increase 1900–1910.	
	1910	1900	Number.	Per cent.
Conway	22,729	19,772	2,957	15.0
Faulkner	23,708	20,780	2,928	14.1
Conway city	2,794	2,003	791	39.5
Franklin	20,633	17,395	3,243	18.6
Johnson	19,698	17,448	2,250	12.9
Perry	9,402	7,294	2,108	28.9
Pope	24,527	21,715	2,812	12.9
Russellville city	2,936	1,832	1,104	60.3
Pulaski	86,751	63,179	23,572	37.3
Little Rock city	45,941	38,307	7,634	19.9
Argenta city	11,138	.....	.....	.....
Yell	26,323	22,750	3,573	15.7
Total for selected counties	233,776	190,333	43,443	22.8

Little Rock, Ark.

ALL MANUFACTURES COMBINED.

	1909	1899
Persons engaged in industry	2,566	(1)
Wage earners (average number)	2,017	1,397
Primary horsepower	6,619	(1)
Capital	$6,045,000	$2,928,000
Salaries	445,000	181,000
Wages	1,080,000	544,000
Cost of materials	4,014,000	1,779,000
Value of products	6,882,000	3,379,000
Value added by manufacture	2,868,000	1,600,000

VALUE OF PRODUCTS.

Cottonseed oil	$1,189,672	(1)
Lumber, etc	1,528,664	$490,700
Printing, publishing, etc	842,924	415,346
All other industries	3,320,402	3,817,072
Total	6,881,662	4,721,118

[1] Figures not available.

Whether a hospitality and warm-heartedness such as is possessed by the people of Arkansas is incident to or resultant from the fertility of the soil I can not say, but I know that it exists without bound. When the reunion of the Confederate veterans was held in Little Rock, a city of but some 60,000 inhabitants, 116,000 guests were accorded royal entertainment. This reunion was Little Rock's and Arkansas's tribute to the grizzled old men in gray who followed without faltering or asking why the fortunes of a Lee and a Jackson, and all bade good-by to the City of Roses feeling that they had been entertained by the most graceful and generous of hosts and, as they said, carrying with them a wealth of beautiful memories that would linger so long as they should live. We are especially proud of the fact that of all the aged veterans who came singly and in camps not one but that was given shelter and food without cost, and in doing so Little Rock felt that she was thus being honored, and on her part it was an opportunity she had long coveted. Bivouacked with his comrades or taken into the homes of the citizens, he was given the best that could be had. His wants were attended. He was made welcome and made to feel that he was an honored guest. Each morning the fair daughters of the city pinned upon his lapel the fresh and fragrant emblem of the City of Roses. Not alone was the old soldier of the South made to feel that the city was his, here and there shone the gold wreath and hat cord of the Grand Army of the Republic, and the soldier of the South and the soldier of the North fought again in perfect amity the battles of the past.

Such, Mr. Speaker, is the condition to-day. The war is long since over. Side by side upon the bench of the Supreme Court of the United States sit the ex-Confederate and the ex-Federal. Side by side in the tableted ranks at Arlington lie soldiers of the North and soldiers of the South. Some years since, when the present minority of this House was in power, money was

appropriated to mark the graves of the Confederate soldiers who died in northern prisons. A member of the commission who had that work in charge is former Senator James H. Berry, of Arkansas, a Member of the Senate for 22 years, twice governor of our great Commonwealth, and an ex-Confederate soldier who left a limb on the field of Corinth. Money has been appropriated to erect a memorial stone to the Confederate dead at Arlington at Federal expense, and a portion of the National Cemetery has been set aside for a Confederate burying ground. With loving hands the name of Jefferson Davis, one time Secretary of War of the United States, and President of the Confederacy, was carved back upon the masonry of Cabin Johns Bridge from whence it had been stricken years ago.

This Nation, Mr. Speaker, has learned its lesson in the school of war. The sentiment "Let us have peace" did not die on the lips of him who gave it utterance, but still reechoes in the hearts of men throughout the world. For our great country may it be said:

No more shall the war cry sever,
Nor the winding rivers be red.
They banish our anger forever
When we laurel the graves of our dead.
Under the sod and the dew,
Waiting the judgment day;
Under the roses the blue,
Under the lilies the gray.

EXCHANGE OF LAND FOR SCHOOL SECTIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25738) to authorize the Secretary of the Interior to exchange lands for school sections within Indian, military, national forest, or other reservations, and for other purposes.

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. RAKER. Mr. Speaker, the same bill has passed the Senate and is now upon the Speaker's table, and I want to ask unanimous consent that the House bill——

Mr. MANN. Oh, Mr. Speaker, the gentleman knows I will object to that. I thought the gentleman was going to ask to have it postponed.

Mr. RAKER. Would not the gentleman withhold his objection for a moment?

Mr. MANN. I will reserve the right to object, although a bill that has been up as often as this one has, and with as many other bills on the calendar, it does not seem necessary to take up so much time. I am going to object to it unless it is passed over.

Mr. RAKER. Mr. Speaker, let me make the request on the matter.

Mr. MANN. I do not think that is the proper thing to do.

Mr. RAKER. Let me make my request. The gentleman may not object to it inasmuch as it is so modest and fair. The Senate having passed the same bill, which is now on the Speaker's table, I ask unanimous consent that the bill—H. R. 25738—which is the same as the Senate bill, be laid aside and that the House take up the bill S. 5068.

Mr. MANN. Mr. Speaker, I object to the consideration of this bill.

The SPEAKER pro tempore. The gentleman from Illinois objects. The bill will be stricken from the calendar, and the Clerk will report the next bill.

PUBLIC BUILDING AT DENVER, COLO.

The next business on the Calendar for Unanimous Consent was the bill (S. 3974) to increase the limit of cost of the United States public building at Denver, Colo.

The bill was read in full.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BURNETT. Mr. Speaker, I ask that the bill be passed without prejudice.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next bill.

PUBLIC BUILDING AT DUBLIN, GA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17683) to increase the limit of cost for the post-office building heretofore authorized at Dublin, Ga.

The bill was read.

Mr. MANN. Mr. Speaker, reserving the right to object, I will say that in the report in this case there is no report from the department, no statement of the limit of cost of the building, no information concerning Dublin, no reason why the betterments referred to were not covered in the contract——

Mr. ASHBROOK. I will say to the gentleman that there was appropriated for this building something like $60,000. The contract has been let, but owing to the fact that it could not be completed for the amount appropriated it was necessary to leave out a number of things which should have been included, such as subdrainage, waterproofing, and interior improvements. The Supervising Architect appeared before the committee and recommended this amount. The amount asked is only $8,000, and the committee thought it was meritorious and was entitled to the favorable consideration of the committee. It is an emergency case. I hope the gentleman will not object. The bill is one offered by the gentleman from Georgia [Mr. BRANTLEY].

Mr. MANN. I would like to inquire of him whether the Treasury Department has sent a letter to the committee asking for the passage of it?

Mr. ASHBROOK. The Supervising Architect appeared before the committee and recommended the amount, and I believe the chairman of the committee also had a letter from the Secretary of the Treasury.

Mr. MANN. And now the Supervising Architect finds a condition which he did not create. As I understand it, the public-building bill authorized a building at Dublin at $60,000.

Mr. ASHBROOK. I believe it was $56,000.

Mr. MANN. Whatever it is. Therefore they proceeded to make plans which involved larger sums.

Mr. ASHBROOK. Eight thousand dollars.

Mr. MANN. And they left out some of the essential features of the building. Having done that, they come to Congress and say they can not complete their building or plans without more money. Does the gentleman think that is any different than providing for a new building at some place? Why should not these matters wait until we have a general public-building bill?

Mr. ASHBROOK. The gentleman from Illinois will understand that a contract has been let and the work is now going on. The contract was let without the inclusion of these things that the Treasury Department recommends should go in, to wit, subdrainage and the waterproofing, and the interior was cheapened very much.

Mr. MANN. Those are essential features of a proper building, are they not?

Mr. ASHBROOK. They certainly are.

Mr. MANN. Then why has not the Treasury Department included them in the contract?

Mr. ASHBROOK. The gentleman will have to ask the Treasury Department about that. We found the condition to exist which I have stated.

Mr. MANN. I know; but the gentleman has presented no report coming from the Treasury Department. That is what I want from the Treasury Department.

Mr. ASHBROOK. The report says that the Supervising Architect recommended these pressing additions.

Mr. MANN. Yes; the present Supervising Architect; but he is new, and he finds the condition named. I think we have the right to insist that that department as a department shall assume responsibility in the matter and state to us why it has disregarded the provisions of the act of Congress fixing the limit of cost upon the building. Until they have made some statement in that respect I shall be compelled to object.

Mr. AUSTIN. Mr. Speaker, I ask that the gentleman withhold his objection until the gentleman from Georgia [Mr. BRANTLEY] can be present.

Mr. ASHBROOK. I ask that the bill be passed over without prejudice.

Mr. MANN. I have no objection to passing the consideration of the bill without prejudice.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. ASHBROOK] asks unanimous consent that the consideration of the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

UNIFORM CHARGES FOR COPIES OF INTERIOR DEPARTMENT RECORDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25437) to make uniform charges for furnishing copies of the records of the Department of the Interior and of its several bureaus.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I do not know who has charge of this bill, but there is a similar Senate bill over here somewhere.

Mr. RAKER. That is what I was thinking. We did not have the time to get the Senate bill.

Mr. MANN. I suggest that the gentleman ask that the House bill be passed over temporarily until the Senate bill can be got.

Mr. RAKER. Mr. Speaker, I move that the consideration of the House bill be passed over temporarily until we can obtain the Senate bill.

The SPEAKER pro tempore. Is there objection?

Mr. CLAYTON. I do not object to passing over the bill temporarily, but I do not understand that all of the Members who are interested in this Unanimous Consent Calendar must give way until the gentleman can get to it. If this bill goes to the heel of the docket, I am perfectly willing.

Mr. MANN. That would not be fair, Mr. Speaker, to other Members, because we can pass the House bill now, and it would take no longer, an hour from now, to pass the Senate bill when it comes over than it would take to pass the House bill now.

Mr. CLAYTON. Very well.

The SPEAKER pro tempore. Without objection, the bill will be passed over temporarily.

There was no objection.

The SPEAKER pro tempore. The Clerk will read the next bill.

CONSTRUCTION OF DAMS ACROSS VARIOUS NAVIGABLE WATERS OF THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25882) to authorize the construction of certain dams across various navigable waters of the United States therein specified.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I desire to reserve the right to object.

Mr. MANN. Reserving the right to object, Mr. Speaker, I understand that gentlemen have endeavored to reach an agreement about this bill. It may be perfectly satisfactory, but I have not seen it yet.

Mr. ADAMSON. If the gentleman from Illinois [Mr. MANN] will yield for a moment, I will say that we are on the verge of arriving at an agreement between all the parties concerned on every phase of the issue. Therefore, rather than waste time now in talking on a reservation of a point of order, I ask unanimous consent that we be allowed to take up the bill later in the day if we complete the agreement. If so, we do not want to waste time on it now.

Mr. UNDERWOOD. We could consider it at any time.

Mr. COOPER. Mr. Speaker, I object to the consideration of such a tremendously important bill at any time the gentleman desires to take it up.

Mr. ADAMSON. I will say to the gentleman from Wisconsin that I do not want to take advantage of anybody.

Mr. MANN. I will say to the gentleman from Wisconsin that the request is not for consideration at any time, but for unanimous consent, and unless it meets the approval of the gentleman from Wisconsin I shall object. I shall object here.

Mr. COOPER. Mr. Speaker, I object to bringing up such tremendously important legislation under these circumstances at the tail end of a long session like this.

Mr. ADAMSON. Then the gentleman objects to the consideration of the bill?

Mr. COOPER. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects, and the bill is stricken from the calendar. The Clerk will report the next one.

DAM ACROSS THE COOSA RIVER, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25881) to authorize the building of a dam across the Coosa River, Ala., at a place suitable to the interests of navigation, about 7½ miles above the city of Wetumpka.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Reserving the right to object, there are a number of dam bills here. I think they ought to take the same course.

Mr. COOPER. I object.

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] objects, and the bill is stricken from the calendar. The Clerk will read the next bill.

DAMS ACROSS THE CLINCH RIVER, TENN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25238) authorizing and permitting M. C. McCanless, W. C. Hale, W. H. Mullins, John Loop, and E. M. Grant, their successors and assigns, to build and maintain dams and water-power development in and across Clinch River, in Grainger, Claiborne, and Hancock Counties, State of Tennessee.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. FOSTER] objects, and the bill is stricken from the calendar. The Clerk will read the next bill.

BRIDGE ACROSS PENOBSCOT RIVER, ME.

The next business on the Calendar for Unanimous Consent was the bill (S. 6763) to authorize the cities of Bangor and Brewer, Me., to construct or reconstruct, wholly or in part, and maintain and operate a bridge across the Penobscot River, between said cities, without a draw.

The Clerk read the bill, as follows:

Be it enacted, etc., That the city of Bangor and the city of Brewer, both being municipal corporations organized under the laws of the State of Maine and located in the county of Penobscot, on opposite sides of the Penobscot River, in said State of Maine, and the successors in interest of said cities, are hereby authorized to construct and reconstruct, wholly or in part, upon plans to be approved by the Secretary of War, and maintain and operate a bridge and necessary and convenient approaches thereto and abutments and piers therefor across and in said Penobscot River, substantially in the location of the present highway bridge between said cities, without having or constructing any draw or other means therein for the passage of navigation or shipping other than what may pass between the approaches and piers and under the spans of such bridge as the same may be constructed or reconstructed.

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

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, I have no objection to the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

Mr. FOSTER. I see this bill does not provide for a draw to be put in. This is not a navigable stream? Is that true?

Mr. ADAMSON. I suppose so. I am not very familiar with the locality.

Mr. MANN. Mr. Speaker, I will say to my colleague from Illinois [Mr. FOSTER] that I have made myself familiar with this bill. The river is a navigable stream above the point of this bridge for the course of a few hundred feet. The river is not navigated, however, and there is no occasion for its navigation, and there is no one there objecting to fixing a permanent bridge there.

Mr. FOSTER. I understand the gentleman to say that this is not a navigable river except for a very short distance above the bridge?

Mr. MANN. A trifling distance.

Mr. FOSTER. Beyond that there is no navigation and no commerce?

Mr. ADAMSON. This is a reconstruction of an old bridge. It is not a new proposition. There is a draw in the present bridge, but it is never opened and nobody is kept there to open it.

Mr. FOSTER. Why is it that the bridge is not built under the general bridge act?

Mr. ADAMSON. The local conditions are such that the people said they did not need a draw, and there was no occasion to use it.

Mr. FOSTER. It is not proposed to be built so that the general bridge act will apply?

Mr. MANN. No; it is like building a bridge across a nonnavigable stream.

Mr. FOSTER. There are no regulations as to tolls because, I suppose, there is no prospect of there ever being any commerce.

Mr. MANN. It is a city bridge and there are no tolls.

Mr. FOSTER. Sometime it might go out of the hands of the city into the hands of private parties.

Mr. MANN. No; there is no more danger of that than there is that the streets will go out of the possession of the city. This is a part of the highway.

Mr. ADAMSON. The city maintains a dam above the bridge, and provision is made for sluicing the logs and lumber; there is no other navigation.

Mr. FOSTER. I understand that.

Mr. HUMPHREYS of Mississippi. Will the gentleman from Georgia answer a question?

Mr. ADAMSON. I will answer it in some way.

Mr. HUMPHREYS of Mississippi. Has the Government expended any money in the improvement of the river beyond the point where this bridge is to be built?

Mr. ADAMSON. If it has, we have not discovered it. This is the bill of the gentleman from Maine [Mr. GOULD]. He took charge of it and carried it through the committee, and what facts I know about it I derived from him and from the report.

Mr. HUMPHREYS of Mississippi. The reason I asked the question was simply to give another illustration of the fact that it is undesirable for one committee to provide for the improvement of rivers and still another committee of the House authorized to report bills such as this one that will permanently obstruct further navigation of the river, and when, as a matter of fact, the chairman of the committee does not know whether the river is under improvement by the Federal Government or not.

Mr. MANN. Mr. Speaker, I think the gentleman from Mississippi is unfair to the gentleman from Georgia.

Mr. ADAMSON. Mr. Speaker, I do not understand that this proposition involves another attempt further to invade the jurisdiction of our committee, nor do I mean to say that the personnel of the Committee on Interstate and Foreign Commerce is superior to that of the Committee on Rivers and Harbors when it comes to going around over the country and learning about rivers. I admit that we have not the facilities for traveling over the country making the investigations and looking over bridges to justify us in scrutinizing all the details as the members of the Committee on Rivers and Harbors do, but when gentlemen come before us and make statements about local conditions, we act on them unless contradicted, and if the gentleman from Mississippi [Mr. HUMPHREYS] should come before us and make a statement of the local conditions in his district I think we would believe him and I think he would admit we would do right in doing so.

Mr. HUMPHREYS of Mississippi. Absolutely, but the only point I made was that, in the interests of harmony in legislation about such matters, they ought to be taken care of by one committee.

Mr. MANN. Let me suggest to the gentleman that as a matter of fact the Government has never made any improvement of this river above the bridge, so I do not see what the Committee on Rivers and Harbors would know about it if they had jurisdiction.

Mr. ADAMSON. It has taken them a long time to find out about it if they ought to improve it.

Mr. HUMPHREYS of Mississippi. But they would know the fact that it had not been improved and whether they are to undertake the improvement of the river.

Mr. ADAMSON. There is another good illustration, inasmuch as the gentleman from Mississippi [Mr. HUMPHREYS] is in the illustration business. He asks so many questions about it and manifests the entire absence of information or local knowledge on the subject, it appears that the River and Harbor Committee would not have attended to it any better than we have done because they have not learned anything about it.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

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

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

DAM ACROSS THE CURRENT RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25592) authorizing the construction, maintenance, and operation of a dam or dams across the Current River, in Ripley, Carter, and Shannon Counties, for the purposes of improving navigation and the development of water power.

Mr. FOSTER. Mr. Speaker, I object.

Mr. RUSSELL. I ask unanimous consent that the bill be passed over without prejudice.

Mr. MANN. Reserving the right to object, I understood the gentleman from Wisconsin [Mr. COOPER] to say that he wasn't willing for these bills to remain on the calendar.

Mr. COOPER. I supposed that all the dam bills were on the calendar together, and I did not hear this one read.

Mr. RUSSELL. I have asked to have the bill passed without prejudice and let it remain on the calendar.

Mr. COOPER. I want to be perfectly fair; I object to the passage of any dam bills at this late hour in the session.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

BRIDGE ACROSS KINGSTON LAKE AT CONWAY, S. C.

The next bill on the Calendar for Unanimous Consent was the bill (S. 6777), an act to authorize the board of county commissioners of Horry County, S. C., to construct a bridge across Kingston Lake at Conway.

The Clerk read the bill, as follows:

Be it enacted, etc., That the board of county commissioners of Horry County, S. C., be, and they are hereby, authorized to construct, maintain, and operate a steel or wood bridge across Kingston Lake at Conway, S. C., at such a point as may be determined by the said board of county commissioners, and approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The following committee amendments were read:

Page 1, line 5, strike out the words "steel or wood."

In line 6, page 1, strike out the word "such."

Lines 7 and 8, page 1, strike out the words "as may be determined by the said board of county commissioners and approved by the Secretary of War," and insert in lieu thereof the words "suitable to the interests of navigation."

Add at the end a new section, "SEC. 2. That the right to alter, amend, or appeal this act is hereby expressly reserved."

The committee amendments were agreed to.

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

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

BRIDGE ACROSS MISSOURI RIVER, OMAHA, NEBR.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25282) to authorize the Union Pacific Railroad Co. to construct a bridge across the Missouri River.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Union Pacific Railroad Co., a corporation organized and existing under the laws of the State of Utah, and its assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near the city of Omaha, in the county of Douglas, in the State of Nebraska, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER pro tempore. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I observe by the report of the Chief of Engineers, Gen. Bixby, that he does not give his approval for the enactment of this legislation.

Mr. ADAMSON. He does, conditionally. He wants to know the reason it is necessary to build another bridge there.

Mr. FOSTER. I understand that, and he says he does not see the necessity for an additional structure. Of course a bridge like this proposed and the other that is located there are obstructions to navigation. I have read the statement of the gentleman from Nebraska [Mr. LOBECK] and also the statement of the general solicitor of the railroad and others at Omaha, Nebr.; but I observed these matters stated in this report, and, so far as I know, it is all right; but the question of navigation at that particular point ought to be taken into consideration. I do not know whether the gentleman from Mississippi [Mr. HUMPHREYS], who is on the Committee on Rivers and Harbors, has looked into the matter or not.

Mr. ADAMSON. Mr. Speaker, we realized that it was a matter for consideration, and we gave it mature consideration.

Mr. FOSTER. Oh, I have no doubt of that.

Mr. ADAMSON. And we also realized that there ought to be as few bridges as possible over navigable rivers. The Chief of Engineers raised that question, as to why it was necessary for vessels on a navigable stream to be compelled to contend with additional bridges. We therefore investigated the question and had it answered to our satisfaction. One answer is that the old bridge has to be repaired and must give place to a new bridge before long. There is a dangerous curve at one end of the bridge, and when the bridge is rebuilt it is desirable to rebuild it along straight lines, and as they complete the new one they will begin to disuse the old one. Another is that the traffic is so much congested at that point that the old bridge for the next few years will be insufficient to accommodate the traffic. It is a high bridge, where the banks of the river are very high. It is too high to interfere with passing boats.

Mr. SPARKMAN. What was the nature of Gen. Bixby's report?

Mr. ADAMSON. The only question that he raised was why it was necessary to put an additional bridge over the stream. If the same statement had been made to Gen. Bixby that was made to the committee, he would not have asked that question.

I now yield to the gentleman from Nebraska [Mr. LOBECK].

Mr. LOBECK. Mr. Speaker, I only desire to state that the first bridge for the Union Pacific Railroad was constructed in 1869—a single-track bridge. A double-track bridge in its place was constructed in 1887. The depot arrangements had to be changed in 1896 or 1897 on account of the increased traffic. All of the eastern and western lines cross at this point except the Illinois Central, which crosses at a bridge 2 miles farther north. A train crosses this present bridge now every five minutes. More trains cross this bridge daily than cross the Eads Bridge in St. Louis. There is an immense amount of travel, and the city of Omaha is growing very rapidly and traffic increasing daily.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LOBECK. Certainly.

Mr. MANN. I see by the report in this case, accompanying the bill, that it is stated there are over 300 trains a day pass over this bridge.

Mr. LOBECK. Yes; over the present bridge.

Mr. MANN. And that as a result trains are frequently delayed for half an hour.

Mr. LOBECK. Yes; and sometimes last winter for two and three and four hours.

Mr. MANN. And that is the reason they desire a new bridge.

Mr. LOBECK. They wish to build a four-track bridge to accommodate the travel.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. LOBECK. Certainly.

Mr. MONDELL. Is it not true that it is the experience of those who frequently cross the river at this point that trains are very frequently delayed?

Mr. LOBECK. Yes, sir.

Mr. MONDELL. There is very often a very considerable delay in crossing this present bridge with the transcontinental trains. I know that personally I have had that experience many times, due to the congestion of traffic across this single-track bridge.

Mr. LOBECK. When this bridge that is now located there was constructed there was a station, called the old Union Pacific shed, about a block south of the present Union Station. It was necessary to get more room, and so the new Union Station was so located that it compels a curve to get to the station; trains must move slowly, and it is necessary to have a bridge in a direct line from station across the river to promote safety in travel. It is necessary to accommodate travel to have a four-track bridge. It will be a high bridge, and therefore no obstruction to navigation. There should be no objection to this measure.

Mr. SPARKMAN. Mr. Speaker, may I ask the gentleman from Georgia a question?

Mr. ADAMSON. Certainly.

Mr. SPARKMAN. The gentleman from Georgia says that Gen. Bixby's objections were finally overcome.

Mr. ADAMSON. Yes. We met his objection fully; otherwise we never would have reported the bill.

Mr. SPARKMAN. The committee considered fully the question of navigation?

Mr. ADAMSON. Yes.

Mr. SPARKMAN. Whether the bridge in any shape would be an obstruction?

Mr. ADAMSON. We found it was not only an absolute necessity, but that it would not add to the difficulties of navigation, being very high above the water; that it would in a few years after completion cause the removal of the old bridge; and that the old bridge at the present time is dangerous on account of its method of construction—because of those curves at the approaches.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

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

EFFICIENCY IN GOVERNMENT SERVICE.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25634) to promote efficiency in the Government service.

The Clerk read the bill, as follows:

Be it enacted, etc., That no officer, agent, clerk, or other employee of the United States Government who holds his or her position by virtue of appointment shall, during the term of such appointment or employment, be or become an accredited delegate of any political party to any national convention held or to be held by such political party for the purpose of nominating a candidate or candidates for the offices of President and Vice President of the United States or President or Vice President of the United States.

SEC. 2. That no officer, agent, clerk, or other employee of the United States Government who holds his or her position by virtue of appointment shall, during the term of such appointment or employment, hold or occupy any official position in any national branch of any political organization organized or constituted for the purpose of influencing, or attempting to influence, in two or more States the nomination or selection of such candidates or candidate.

SEC. 3. That every such officer, agent, clerk, or employee offending against either of the provisions of the two foregoing sections shall be deemed guilty of a misdemeanor, and shall be fined not exceeding $500, and also shall be summarily discharged from the service of the United States Government.

SEC. 4. That this act shall take effect from and after the date of its passage.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. MOORE of Pennsylvania. Mr. Speaker, I reserve the right to object, and I would like to have the attention of the gentleman in charge of the bill.

Mr. HULL. Mr. Speaker, I do not see the chairman of the committee [Mr. GODWIN] on the floor. If I can give any information, I should be very glad to do so.

Mr. MOORE of Pennsylvania. In section 2 the bill provides that no officer, agent, clerk, or other employee of the Government who holds his or her position by virtue of appointment shall, during the term of such appointment or employment, hold or occupy any official position in any national branch of any political organization, and so forth. I notice it refers to one who holds office by appointment. I have had some small concern with regard to some gentlemen upon the other side, notably the gentleman from Missouri [Mr. LLOYD] and the gentleman from North Carolina [Mr. PAGE], who happen to be chairman and secretary of a very aggressive national organization. I am wondering whether the gentleman feels that those two gentlemen in their official capacity would in any way be liable to the punishments that are imposed by this bill?

Mr. HULL. Mr. Speaker, I do not know whether my friend from Pennsylvania [Mr. MOORE] is serious in propounding that inquiry or not; but assuming that he is, I will say that this is simply a proposition to extend the civil service to a certain extent, and it is not contemplated by this or in the original civil-service law that an elective officer or elective officials, who deal directly with the people and are amenable to the people, would come within the provisions of the civil-service law of 1883 or any amendment thereto.

Mr. MOORE of Pennsylvania. The bill refers to officers of the Government of the United States, and I would assume that Members of Congress were officers of the Government of the United States.

Mr. HULL. Appointive officers, the bill specifies.

Mr. MOORE of Pennsylvania. Then it is the opinion of the gentleman that the officers of a national political organization to which I referred are not amenable to the punishment imposed by this act.

Mr. HULL. Unquestionably. This bill does not attempt and no part of the civil-service law now attempts to govern or limit the conduct of any official who may be elected by the people—only those appointed to the service of the Government.

Mr. MOORE of Pennsylvania. That question having been answered, I should like to put another concerning the merits of the bill: Whether the gentleman thinks that an employee of the Government of the United States should be disqualified from taking an interest in politics simply because he is a servant of the Government?

Mr. HULL. Mr. Speaker, I will say, in reply to the last question of the gentleman, that this bill does not restrict the political activities of any appointive official to whom it would apply nearly to the extent that the present civil-service law restricts the political activities of those who come within the range of that law. This only goes to the extent of prohibiting those who are appointed to official position from becoming candidates for delegate to a national convention and from becoming delegates to such convention or from becoming members of the national branch of any national political organization. I recall that in 1904 about 187 marshals, district attorneys, internal-revenue collectors, postmasters, and other appointive officials from one small tier of States became active candidates for delegates to a national convention. The result was that their subordinate force, comprised largely of officials under the civil service, were stirred to more or less political activity in a quiet way and the service in many instances was largely demoralized and impaired. These gentlemen not only became candidates, but they were successful and became delegates. Four years later I remember that this number jumped to 220. Now, we realize the fact that it brings about trade and traffic among individuals and minor officials with respect to appointments; it brings about an utter demoralization in the service, and it affects——

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

Mr. HULL. With pleasure.

Mr. MANN. Announcing myself in sympathy with the purposes of the gentleman's bill, would the gentleman be willing to have it amended so as to have it say that Government employees or officers shall not participate in any convention of a political party of any kind whatever, as those in the classified service are now prohibited?

Mr. MOORE of Pennsylvania. I was going to ask the gentleman whether the civil-service laws were not now sufficient to meet the point he makes?

Mr. MANN. Does not the gentleman believe that the bill, if enacted into law, would be a construction by Congress that the present rules of the Civil Service Commission forbidding activity on the part of employees established by Congress would be construed as forbidding political activity only as relating to national conventions?

Mr. HULL. Mr. Speaker, in reply to the gentleman from Illinois I would say this: That from my viewpoint this bill would

not antagonize the present civil-service regulations nor modify the present civil-service laws. It only adds to them. Now, under existing regulations and laws, appointive officials whose conduct has brought about the necessity, as I conceive it, for the enactment of this bill, were in the habit, without interfering with the regulations of the Civil Service Commission or the present civil-service laws, of becoming candidates and going to national conventions as delegates.

Mr. MANN. The gentleman is seeking to apply the law to those not in the classified service, but the bill contemplates both those in and out of the classified service. Now, if in the classified service to-day there is a prohibition against it, and thereupon Congress proceeds to enact a law forbidding one of these things by positive enactment, it is practically to give notice that the other is permitted unless in the classified service. I am willing to go with the gentleman to any extent he wishes to go forbidding Government employees taking part in politics. I think the gentleman's bill would have the other effect.

Mr. HULL. Will the gentleman allow me one question?

Mr. MANN. Certainly.

Mr. HULL. Would it not, in the judgment of the gentleman, meet his objection by inserting a slight amendment to this effect, "except those appointive officials or employees not already prohibited from becoming delegates to a national convention or members of a national committee"?

Mr. MANN. I will say to the gentleman that when the bill comes up before the House I have nine different amendments to offer to it, and I am afraid it would take too long to consider it on unanimous-consent day, although I am willing to take it up for consideration.

Mr. HULL. I hope the gentleman will allow the matter to come up now.

Mr. MANN. I think it would mean debate for half a day.

The SPEAKER pro tempore. Is there objection?

Mr. HULL. Mr. Speaker, before the gentleman finally expresses himself upon the matter, I wish to say, in view of the lateness of the session and of the importance of this bill—I held it up until after the conventions were held so that I would not be in the attitude of seeming to appear to take any interest in the candidacy of any gentleman—I wish to appeal to the wisdom and the statesmanship and the patriotism and, if necessary, to the generosity of the gentleman from Illinois to withhold his objection and allow us to have the present consideration of the bill, and these amendments can be offered in their order.

Mr. MANN. It is very certain it will take considerable time. The Committee on Rules can bring in a rule making this bill in order at any time. It only applies to national conventions. They have all been held, and there will be plenty of time to consider it before any other national convention is held, though I hope it will be made to apply to State conventions, and county conventions, and municipal conventions, so that the employees may be entirely dissociated from political government.

Mr. CANNON. Will the gentleman go further and prohibit their voting?

Mr. HULL. This bill does not remotely contemplate anything of that kind.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, there is a broader question here than the right of the officeholder to vote. He ought to vote, and if an officeholder does not vote he is unworthy of the office he holds. If he does not vote he ought to be put out of office.

Mr. HULL. I agree with the gentleman.

Mr. MOORE of Pennsylvania. I will go further than the gentleman and say that I believe the majority placed in power by the people should rule, and it makes no difference whether it is President Taft or Gov. Wilson who is elected President of the United States—although I expect Mr. Taft will be—those who serve under Taft or Wilson should be loyal to the policy of their chief.

Mr. HULL. I will say to the gentleman from Pennsylvania that I have no purpose of cutting off officeholders from voting in the coming election or in any other election if that is the cause of his objection.

Mr. MOORE of Pennsylvania. In my judgment those who should display the largest intelligence in political matters are those who hold political places. I object to the consideration of the bill.

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

Mr. MOORE of Pennsylvania. I withhold the objection.

Mr. ADAMSON. I would like to ask him in connection with his statement that Mr. Taft will be elected, if it does not remind him of the Scripture:

I have not found so great faith, no, not in Israel.

[Laughter.]

Mr. MOORE of Pennsylvania. There seems to be less faith on the other side of the House than on this.

The SPEAKER. Does the gentleman from Pennsylvania [Mr. MOORE] insist on his objection?

Mr. MOORE of Pennsylvania. I do.

PUBLIC BUILDING AT DENVER, COLO.

Mr. MARTIN of Colorado. Mr. Speaker, even in view of what is likely to happen I ask unanimous consent to refer back at this time to the bill S. 3974, an act to increase the limit of cost of the United States public building at Denver, Colo., in which bill my two colleagues are directly interested, and which now falls upon me by reason of the fact they are necessarily absent and that I am the only Member of the delegation present. It was reached and passed over before I arrived this morning——

The SPEAKER. The gentleman from Colorado [Mr. MARTIN] asks unanimous consent to go back to the bill S. 3974, which has already been reported. Is there objection?

Mr. MANN. Reserving the right to object, I have no objection to going back on the same status.

Mr. MARTIN of Colorado. Certainly. Now, Mr. Speaker, I will make just as brief a statement as possible consistent with an outline of the facts as I may, and I wish to say that I am not as familiar with this bill as my two colleagues, both of whom have similar bills now pending in the Senate. I want to say, in the first place, that this does not present any partisan question, while a rather large sum of money is involved, owing to the fact that the bill has already been introduced and passed through the Senate by our Republican Senator, Mr. GUGGENHEIM, and the same measure has been introduced into the House by Mr. RUCKER, who represents the district in which lies the city of Denver, and by Mr. TAYLOR, our Representative at Large.

The SPEAKER. Is there objection to returning to this bill? [After a pause.] The Chair hears none.

Mr. MANN. Reserving the right to object——

Mr. MARTIN of Colorado. The gentleman from Illinois [Mr. MANN] does not object to returning to the bill, but reserves the right to object to the bill.

The SPEAKER. The Chair has not put the other question yet. Does the gentleman reserve his right to going back to it?

Mr. MANN. I have no objection if it is subject to objection after going back to it.

The SPEAKER. Of course it is.

Mr. MARTIN of Colorado. I will say that while I am not as familiar with the facts involved in the Denver public building as my colleague, I have taken sufficient interest in the question to go to the trouble of carefully reading and marking the hearings before the Committee on Public Buildings and Grounds. And the facts appear to be these, briefly: The Denver public building was originally estimated to cost $2,000,000.

It was authorized at a limit of cost of $1,600,000. Thereafter a controversy arose with reference to the character of the material to be used in that building. I believe it was originally proposed to construct the building of Indiana limestone, but later on there was a strong demand to change the material to Colorado marble, which is a very beautiful and an entirely suitable character of material. I think I can safely say that anyone who will have the pleasure of seeing the Denver public building will say that it is a thing of beauty as well as of substance and that no mistake was made in changing the material from Indiana limestone to Colorado marble.

It appears to be claimed—and there has been some confusion in regard to that in the hearings—that the new material will prove to be more expensive. The pending bill is to increase the limit of cost by $400,000, so that it will cost $2,000,000, as first estimated. It is claimed that this increase of cost is necessitated by the change of material from Indiana limestone to Colorado marble. But the hearings do not bear out that claim, for this reason: It appears that it was ascertained, after the plans were drawn, that the building would have to be considerably enlarged. For instance, there was a circuit court of appeals established in Denver after the plans were originally drawn, which necessitated the making of provision for additional quarters. It was also apparent, through the rapid growth of Federal functions and activities in relation to the public domain and its natural resources, and so forth, that other quarters were necessary, so that the cubical content of the building was increased from 3,100,000 cubic feet, as originally estimated, to 3,900,000, an increase of 800,000 cubic feet in the size of the building, or an increase of between 20 and 25 per cent.

Now, the cost of this building per cubic foot is about 50 cents, so that both the Supervising Architect of the Treasury

Department and the architect of the building say that the increase in size alone of the Denver public building necessitated an increase of $400,000 in the cost of construction. In other words, the entire additional cost asked for, to wit, $400,000, would be absorbed by virtue of the increase of the cubical content or size of the building.

Now, I think that we can agree upon this proposition: That the money heretofore expended has been wisely expended; that the increase in cost is something for which our State can not be held primarily responsible, because it was necessitated by the enlarged and changed conditions which confronted the Supervising Architect of the Treasury when he began to construct this building. But, Mr. Speaker, the point that I wish to emphasize to gentlemen is the present condition of this building and the consequences that will result if this extension of the limit of cost is not now allowed.

In the first place, if the architect were to be compelled to proceed under the present appropriation, what will happen? I am going to quote, not from the architect of the building, but from the Supervising Architect of the Treasury, or his representative, Mr. Oscar Wenderoth, who was asked this question:

Mr. BURNETT. Now, let me hear a little more about your interior finish. What kind of interior finish can you make with $300,000?
Mr. WENDEROTH. It won't be very gorgeous.
Mr. BARNHART. Will it be substantial—fireproofed?
Mr. WENDEROTH. I think so, but I don't think it can be fireproofed properly. There will be considerable very cheap wood.

Mr. Wenderoth also says, in a written statement that is incorporated in the hearing:

That the necessity of an increased appropriation is wholly due to the size of the building and is not caused by an architectural elaboration is shown by the following comparison based on the cost per cubic foot. We would call to your attention that the cubage of the competition drawings was 3,106,504 cubic feet, and that the cube of the building as being built, taken from the working drawings, approved by the Government, is 3,700,000 cubic feet, exclusive of approaches.

He then goes on to point out the results that I have already mentioned.

Let me put this proposition before you, gentlemen, that the Supervising Architect of the Treasury says that the building can not be fireproofed properly, and that there will be considerable very cheap wood in it unless the limit of cost is enlarged. In addition, the Committee on Public Buildings and Grounds reported as follows:

The bill was considered by a subcommittee of the Committee on Public Buildings and Grounds of the United States Senate, which interviewed the Supervising Architect of the Treasury Department and ascertained that the Denver public building could not be finished, except in the most ordinary way, within the limit of cost fixed by law; that to finish the building without increasing the limit of cost would cause the interior work and finish to be so out of harmony with the exterior of the superstructure as to render the interior incongruous, unsightly, and less useful in some respects.

The contracting architect stated to the Committee on Public Buildings and Grounds of the House of Representatives that the increased appropriation was necessitated partly by reason of the fact that the United States court of appeals had been located there since the formal authorization for the building, which necessitated quite an enlargement of the building, and, in addition to that, it became apparent that the building should be considerably enlarged over what was originally contemplated on account of the tremendous increase in the various branches of the Government business being conducted there.

Now, the question is whether Congress wants its money expended in the way the hearings and report indicate, and a great, beautiful public building in one of the large cities of the United States finished in such a defective manner. Mr. Edgerton Swartwout, the architect of the building, says somewhere, and I think very properly, that the interior woodwork will all have to be torn out, and in the very near future this work will have to be done over again if it should be done in the way in which it is now contemplated to be done under the present limit. In other words, it means that if the architect has to proceed under the present limit of cost, the building will not be properly finished, and it will contain cheap work, and it will not harmonize in its interior with the remainder of the building, and the money, therefore, will not be judiciously expended, and the work will have to be done over again.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Colorado yield to the gentleman from Wyoming?

Mr. MARTIN of Colorado. I do.

Mr. MONDELL. This is clearly an emergency appropriation, as I understand it?

Mr. MARTIN of Colorado. Yes, sir.

Mr. MONDELL. The building is in that condition now where it will be either inadequately finished or the work of building will be suspended until Congress can act?

Mr. MARTIN of Colorado. Yes. If the gentleman will permit me to quote from the statement of the architect of the building, it will show the actual situation which confronts us in this case. He says:

The authorization for the increase of this building is now absolutely necessary for the reason that the present contracts on the building are nearly completed, or will be on or about September 1, which would leave the building open to inclement weather for the coming winter, or necessitate an unwarranted expenditure of temporary closing it in, and require the services of a superintendent and watchman in order that the property may be taken care of and protected until such time when the work can proceed.

Mr. MONDELL. It is an emergency matter, then, that can not be delayed without a loss to the Government?

Mr. MARTIN of Colorado. Yes. We have the statement of the architect that the marblework is now finished, and we have the statement that unless this authorization is made now, the contracts having expired, further work on the building must be suspended and the building left open to the ravages of the weather, or, at a great expense, boarded up and permitted to remain in that condition until such time as Congress sees fit to make this authorization.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MANN. Reserving the right to object, Mr. Speaker, I want to say that the Treasury Department asked for $2,000,000 with which to construct this building. The Committee on Public Buildings and Grounds decided to recommend $1,600,000. Congress passed a law providing for a limit of cost of $1,600,000, and with utter disregard and with cool contempt for Congress the Treasury Department proceeded to plan a building costing $2,000,000. They commenced the erection of it and have it partly completed, saying we can not complete the building unless you give us the amount we originally asked for, which you then refused. I have discussed this matter with the chairman of the Committee on Appropriations, and, in his absence at least, I shall not consent to its passage.

Mr. MARTIN of Colorado. Will the gentleman permit me a question? Conceding what he has said to be true—and I am not conceding it—but for the sake of argument——

Mr. MANN. Well, if the gentleman does not concede that——

Mr. MARTIN of Colorado. Conceding that to be true, for the sake of argument, does that alter the present status and needs of the matter? Would it be wise judgment, would it be economy, would it be good business to permit the building to be improperly finished or construction suspended altogether simply because originally the Treasury Department had made plans larger than the authorization of Congress would warrant?

Mr. MANN. The gentleman concedes the truth of my statement as a matter of argument. Will the gentleman answer me a question?

Mr. MARTIN of Colorado. I will if I can.

Mr. MANN. Did not they ask originally for $2,000,000?

Mr. MARTIN of Colorado. I understand that they did.

Mr. MANN. Did not the committee only recommend $1,600,000?

Mr. MARTIN of Colorado. I think that is true.

Mr. MANN. Did not the House and the Senate pass it in that shape?

Mr. MARTIN of Colorado. I think that is true.

Mr. MANN. Did not they plan a building that would cost more than $1,600,000?

Mr. MARTIN of Colorado. I do not think they did originally, but they had to change the plans and provide for 800,000 more cubic feet of space, because Congress created a new circuit court of appeals division, which was to sit in the city of Denver, and there were other enlargements made to convenience other departments.

Mr. UNDERWOOD. Mr. Speaker, I think the gentleman from Illinois objected, and I demand the regular order.

Mr. BURNETT. If the gentleman will pardon me, I want to say that the original contract was within the authorization.

Mr. MANN. I know it, but they left a lot of things out of the contract which were absolutely essential to the building, and in cool and utter disregard of the limit of cost by Congress.

Mr. BURNETT. They say that the building can be completed within the authorization, but the entire building will not be in harmony. It has been enlarged because it was necessitated by the new court of appeals and on account of the growth of other departments.

Mr. MANN. There was no new court of appeals established there.

Mr. UNDERWOOD. I call for the regular order.

Mr. MARTIN of Colorado. If the bill is to be defeated, I want the distinguished Republican floor leader to have the honor of the objection.

Mr. MANN. I object. I do not do it as Republican floor leader, but I do it as a proper Member of Congress after the extension of courtesy to the gentleman from Colorado that I shall not extend again.

The SPEAKER. Debate is out of order, and the gentleman from Illinois objects.

Mr. MARTIN of Colorado. I shall attach to my remarks the statement of the architect of the building, showing the necessity for this legislation.

Statement by Mr. Edgerton Swartwout:

REASONS FOR THE NECESSITY OF AN INCREASED APPROPRIATION FOR THE UNITED STATES POST OFFICE AND COURTHOUSE AT DENVER, COLO.

The original competition drawings, as approved by the Secretary of the Treasury, called for a building of approximately 3,100,000 cubic feet, the rear of which was finished in the simplest manner without columns, and the light courts were without architectural elaboration. Subsequent to the award of the competition, which was based on the appropriation of $1,600,000 during and after trips to Denver by one of our firm, certain additional accommodations were demanded which increased the cubage of the building from 3,100,000 to 3,900,000, and a greater elaboration of the Champa Street façade and of the interior courts was demanded.

(a) Five times as much accommodation for the judges and officials of the court of appeals was demanded by the judiciary department over and above the amount allowed for in the competitive drawings.

(b) A law library of large size was added.

(c) Rooms for the use of lawyers engaged in the court were demanded.

(d) The necessity of a mailing platform below the terrace level instead of at the grade level on the Champa Street façade and the terrace itself added materially to the cubic contents.

(e) The increased size of the foundations made necessary by the poor quality of the soil was a great increase, both in the cubic contents and in the cost.

(f) At the time of our visit to Denver there was a great deal of agitation in favor of making the Champa Street façade as important as that on Stout Street. Various meetings of the board of trade and other organizations were held, and the Treasury Department was urged very strongly to see to it that all sides of the building should be of equal importance and beauty, and, furthermore, the citizens of Denver were opposed to the mailing platform being placed on the grade level in view of those passing on Champa Street, claiming their property on Champa Street would be greatly depreciated thereby, which appeared would be the case, due to the teaming and the noise of the mail-delivery wagons. In order to meet these objections the mailing platform was placed under a terrace entirely out of sight of anyone passing on Champa Street. This necessitated not only extra cubage, but a considerable elaboration in the way of terraces, approaches, and grading, and also made necessary various electric lifts and appliances for the handling of mail not before contemplated. Also in order that the Champa Street front should be effective architecturally as the Stout Street façade, a continuous portico of 16 columns, with the necessary elaboration in the entablature, was placed on the Champa Street façade in place of the large openings and plain wall surface shown on the competitive drawings and as originally contemplated. It was also thought advisable to have the interior light courts echo to a certain extent the architecture of the exterior, although these light courts have been finished in limestone instead of marble.

(g) When it became time to let the contract for the exterior strong pressure was brought by the entire State of Colorado to have local materials used in the construction throughout. Estimates were taken in various marbles, granites, and limestones, but we found upon careful examination that there was no local stone in the State of Colorado suitable for the construction of such a monumental building and calling as it did for blocks of large size and great soundness, except the marble obtained from the quarry of the Colorado-Yule Marble Co. By the authorization of the department the contract for the exterior was let in Colorado marble at some increase of cost.

Now, it is apparent that in spite of the elaboration indicated above the necessity for the increase of limited cost is due entirely to the increase of the size of the building. As above noted, this increase is approximately 800,000 cubic feet, which, at 50 cents a cubic foot, the approximate figure allowed in the competition program, amounts to $400,000, the amount asked for.

From the above it is very clearly shown that the present available money to finish the building—$380,000—would supply only a temporary and easily combustible interior finish, as out of this $380,000 the steam heat, electrical and mechanical plants must be supplied, interior doors, windows, post-office screens, and everything to make a habitable interior finish from the money left, which of necessity would be nothing more than an extremely cheap character, necessitating wood partitions and the cheapest kind of doors and windows. In other words, this interior finish would only be temporary and later on would have to be torn out, as shown by the Supervising Architect's statement before the Committee on Public Buildings and Grounds, and replaced by the finish necessary and equal to the elaborate exterior of the building, and consequently would necessitate a greater authorization and appropriation than that now asked—$400,000—a part of the $380,000 being absolutely wasted, besides endangering the expensive exterior by a probable fire.

The authorization for the increase of this building is now absolutely necessary, for the reason that the present contracts on the building are nearly completed, or will be on or about September 1, which would leave the building open to inclement weather for the coming winter, or necessitate an unwarranted expenditure of temporary closing it in and require the services of a superintendent and watchman in order that the property may be taken care of and protected until such time when the work can proceed.

TRACEY, SWARTWOUT & LITCHFIELD,
By EDGERTON SWARTWOUT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the amendments of the House to the joint resolution (S. J. Res. 133) appropriating the sum of $20,000 out of money appropriated by Senate joint resolution No. 129 for subsistence of American citizens now in Arizona fleeing from threatened danger in the Republic of Mexico.

The message also announced that the Senate further insisted upon its amendments to the bill (H. R. 24565) making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes, disagreed to by the House of Representatives, and had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PERKINS, Mr. LODGE, and Mr. TILLMAN as conferees on the part of the Senate.

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

H. R. 6722. An act for the relief of Stephen Campbell and Isaac Overdorf; and

H. R. 21708. An act to authorize the lighting of Piney Branch Road from Georgia Avenue to Butternut Street.

The message also announced that the Senate had elected JACOB H. GALLINGER, a Senator from the State of New Hampshire, President pro tempore, to hold office till the close of the second session of the Sixty-second Congress; and that the Senate had elected Augustus O. Bacon, a Senator from the State of Georgia, President pro tempore, to hold office from and after the closing day of the second session of the Sixty-second Congress to the 16th day of December, 1912. (S. Res. 383.)

ALIEN SEAMEN AND STOWAWAYS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21489) to amend the immigration laws relative to alien seamen and stowaways.

Mr. BURNETT. Mr. Speaker, I ask that that bill be passed without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MANN. Reserving the right to object, what is the purpose of passing it without prejudice?

Mr. BURNETT. There are some amendments that will have to be made in order to conform with the involuntary-servitude bill passed a week or two ago, and we desire to confer and see if there is any difficulty in regard to it, and if so, to prepare amendments.

Mr. MANN. The gentleman gives a very plausible reason.

Mr. FOCHT. I would like to ask the gentleman from Alabama if he believes that the bill will be reached again this session?

Mr. BURNETT. Yes; I think so. This is not the general immigration bill; this is to check the alien seamen from coming in.

Mr. FOCHT. But the gentleman from Alabama seems to have very little hope of reaching the other bill.

Mr. BURNETT. This bill will be reached on the Unanimous Consent Calendar, no doubt.

Mr. CLAYTON. Mr. Speaker, I demand the regular order.

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

FEDERAL BUILDING AT WINSTON-SALEM, N. C.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25714) to amend an act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes.

The Clerk read the bill as follows:

Be it enacted, etc., That so much of the act of Congress (public-building act) approved June 25, 1910 (36 U. S. Stats., p. 693), as authorized the Secretary of the Treasury to begin the construction of a suitable and adequate fireproof addition to the present Federal building at Winston-Salem, N. C., etc., be, and the same is hereby, amended so as to authorize also all necessary changes in and alterations and repairs of said old Federal building, and of the heating, ventilating, and plumbing systems, and elevators therein, which may become necessary by reason of or incident to the extension or enlargement of said building, or which it may be found expedient or advisable to make to such old building, and the heating, ventilating, and plumbing systems and elevators because of and in connection with the enlargement, extension, remodeling, or improvement of said old building; and the annual appropriations for the general maintenance of public buildings under the control of the Treasury Department shall be construed to be available for all other repairs to and equipment of said building, grounds, and approaches, and the heating, hoisting, plumbing, and ventilating apparatus thereof.

Mr. STEDMAN. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HAMILTON of West Virginia. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from West Virginia offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Insert as an additional section the following:

"That the limit of cost for the erection of the United States post-office building at Sistersville, W. Va., provided for in section 4 of 'An act to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the purchase of sites for public buildings, and for other purposes,' approved June 25, 1910, be increased from the sum of $60,000 to $80,000. For the purposes aforesaid the sum of $80,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. MANN. Mr. Speaker, I make the point of order against the amendment that it is not in order on this bill.

The SPEAKER. What is the point of order?

Mr. MANN. This bill relates to a public building at Winston-Salem, N. C., and only relates to that.

The SPEAKER. What does the amendment relate to?

Mr. MANN. To a public building at some other place.

The SPEAKER. The point of order is sustained.

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

On motion of Mr. STEDMAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COPIES OF RECORDS, DEPARTMENT OF THE INTERIOR.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 25437) to make uniform charges for furnishing copies of records of the Department of the Interior and of its several bureaus.

The SPEAKER. The gentleman from California asks unanimous consent to return to the bill H. R. 25437. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what bill is that?

Mr. RAKER. That is the bill which we passed temporarily. I have now here the Senate bill of similar title, which has been passed by the Senate.

Mr. MANN. I have no objection.

The SPEAKER. The Chair hears no objection.

Mr. RAKER. Mr. Speaker, I now ask unanimous consent to lay aside the House bill and substitute therefor the bill S. 7157, of similar title.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior, the head of any bureau, office, or institution, or any officer of that department, may, when not prejudicial to the interests of the Government, furnish authenticated or unauthenticated copies of any official books, records, papers, documents, maps, plats, or diagrams within his custody, and charge therefor the following fees: For all written copies, at the rate of 15 cents for each hundred words therein; for each photolithographic copy, 25 cents where such copies are authorized by law; for photographic copies, 15 cents for each sheet; and for tracings or blue prints the cost of the production thereof to be determined by the officer furnishing such copies, and in addition to these fees the sum of 25 cents shall be charged for each certificate of verification and the seal attached to authenticated copies: *Provided*, That there shall be no charge for the making or verification of copies required for official use by the officers of any branch of the Government: *Provided further*, That only a charge of 25 cents shall be made for furnishing authenticated copies of any rules, regulations, or instructions printed by the Government for gratuitous distribution.

SEC. 2. That nothing in this act shall be construed to limit or restrict in any manner the authority of the Secretary of the Interior to prescribe such rules and regulations as he may deem proper governing the inspection of the records of said department and its various bureaus by the general public, and any person having any particular interest in any of such records may be permitted to take copies of such records under such rules and regulations as may be prescribed by the Secretary of the Interior.

SEC. 3. That all authenticated copies furnished under this act shall be admitted in evidence equally with the originals thereof.

SEC. 4. That all officers who furnish authenticated copies under this act shall attest their authentication by the use of an official seal, which is hereby authorized for that purpose.

SEC. 5. That the act of Congress approved April 19, 1904, chapter 1396, be, and the same is hereby, repealed; but nothing in this act shall be so construed as to repeal the provisions of sections 490 to 493, inclusive, and 4934 of the Revised Statutes, fixing the rates for patent fees; or the act approved March 3, 1891, chapter 541, fixing a rate for certifying printed copies of specifications and drawings of patents; or of section 14 of the act of February 20, 1905, chapter 592, to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same; nor shall anything in this act be construed to repeal any of the provisions of section 8 of the act approved April 26, 1906, chapter 1876, authorizing the officer having charge of the custody of any records pertaining to the enrollment of members of the Five Civilized Tribes of Indians to furnish certified copies of such records and charge for that service such fees as the Secretary of the Interior may prescribe; nor shall anything herein contained prevent the Secretary of the Interior, under his general power of supervision over Indian affairs, from prescribing such charges or fees for furnishing certified copies of the records of any Indian agency or Indian school as he may deem proper; and the said Secretary is hereby authorized to charge a fee of 25 cents for each certified copy issued by him as to the official character of any officer of his department.

SEC. 6. That all sums received under the provisions of this act shall be deposited in the Treasury to the credit of miscellaneous receipts.

Mr. RAKER. Mr. Speaker, this bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, is this Senate bill exactly the same as the House bill?

Mr. RAKER. Identically the same. It has been referred to the committee, and the committee has reported it back favorably.

The SPEAKER. The question is on the third reading of the Senate bill.

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

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

The bill H. R. 25437 was laid on the table.

FORT KEOGH MILITARY RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 4301) authorizing the Secretary of War to lease to the Chicago, Milwaukee & Puget Sound Railway Co. a tract of land in the Fort Keogh Military Reservation, in the State of Montana, and for a right of way thereto for the removal of gravel and ballast material.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to make and execute a lease to the Chicago, Milwaukee & Puget Sound Railway Co., a corporation of the State of Washington, of a tract of land lying in the Fort Keogh Military Reservation, in the State of Montana, containing an approximate area of 40 acres, lying northerly of the right of way now owned by said railway company, granted by the act approved May 11, 1906, and also a right of way not exceeding 50 feet in width extending from the present right of way of said company at a point near the westerly boundary of said reservation in an easterly and northeasterly direction to said tract, a distance of approximately 3½ miles; and said railway company is authorized to construct, maintain, and operate a spur railroad track upon said right of way and to take and remove earth, gravel, and ballast material from said tract for the improvement of its railroad until the supply thereof shall be exhausted. Said lease shall contain such provisions in respect to the fencing of said right of way and gravel tract, the construction of crossings and cattle guards at highways, and the delivery, free of charge, annually, of such quantity of sand or gravel for use upon the wagon roads and walks at Fort Keogh during the time that material shall be taken from said tract, and such other conditions as the Secretary of War shall deem advisable.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would ask somebody for some information concerning the bill. There is no information in the report, and there is no report from the War Department attached to the bill.

Mr. PRAY. Mr. Speaker, I will say in reply to the gentleman from Illinois that objection was raised when the bill was being considered by the Committee on Military Affairs. I inquired at the War Department to find out what they had on file there and found that the Secretary of War had requested a report from the officer in charge of the remount station at Fort Keogh shortly after the introduction of the bill, who reported that there would be no objection to the bill and responded to other questions propounded to him. The War Department, relying upon that report, found no objection.

Mr. MANN. Did the War Department give that information to Congress?

Mr. PRAY. Yes; there is a favorable report.

Mr. MANN. It is very carefully concealed from the information of the House. Perhaps I should not say "carefully." It may be very carelessly concealed.

Mr. PRAY. It was printed in the Senate report upon the bill, but it seems to have been omitted from the House report.

Mr. MANN. The gentleman should remember that bills of this character are sometimes more difficult to pass in the House than in the Senate, and it requires fully as much information.

Mr. ANTHONY. Mr. Speaker, I would say to the gentleman that in the bill full authority is left to the Secretary of War to provide proper regulations and restrictions.

Mr. MANN. The bill apparently gives a lease for the taking of gravel from what would be a gravel pit, with the provision that among other things the lessors shall furnish such quantity of sand or gravel for use upon the wagon roads and walks at Fort Keogh during the time that material shall be taken from said tracks, and so forth. Just how much that is I do not know, but "such quantity of sand and gravel" would be a rather indefinite amount. It is possible that it means such quantity as the Secretary of War shall deem advisable. Of course nobody would take a lease and pay any rental without knowing something about what he would be required to furnish free. Therefore I

thought we were entitled to the information from the War Department as to what they would require. Is th's to be a dummy lease for $1, and other good and valuable consideration, or is it a bona fide lease for something worth something?

Mr. ANTHONY. I think it is generally understood that there is no actual value to the gravel other than its use as ballast for the railroad.

Mr. MANN. I know of nothing that is of actual value except for its use. That is all that the land is good for—its use. This gravel is very valuable to somebody.

Mr. ANTHONY. If it were at a market, say, in Chicago.

Mr. MANN. But it is at a market right there, where it is demanded. For what is it to be disposed of? What are the terms? Does anybody know?

Mr. ANTHONY. I do not think the Government would be defrauded if it gave it away to the railroad company. I think it ought to be glad to encourage the building of a transcontinental railroad by giving it sand and gravel along the right of way.

Mr. MANN. But this is not sand and gravel along the right of way.

Mr. ANTHONY. Practically that.

Mr. MANN. Not at all. This is in the Fort Keogh Military Reservation, into which they have to run a spur line.

Mr. ANTHONY. Does not the main line of the railroad run through the reservation?

Mr. PRAY. The main line of the Milwaukee runs through the reservation. Congress granted a right of way two or three years ago. The reservation consists of 57,000 acres of land. This is a little strip of 40 acres about three miles and a half north of the main right of way. They desire to build a spur to it and take gravel for ballast on the roadbed.

Mr. MONDELL. That is a lease for a 40-acre tract some 3 miles from the post, as I understand it.

Mr. PRAY. It is some distance west of the post. It is quite a long way from the post itself, and it is off about 3 miles north of the right of way. The main line of the road runs through this reservation. This is a large reservation consisting of 57,000 acres of land.

Mr. MONDELL. I suppose this is not the only tract of gravel on the reservation?

Mr. PRAY. Oh, no.

Mr. MANN. If there is any such great quantity of gravel, and it is not worth anything, why do they seek to lease this, three and a half miles from the track, and agree to give the Government all the gravel it wants. I am afraid those two statements do not gibe very well.

Mr. PRAY. Perhaps it is the most convenient place to put in a spur. There may be a great many other places, but they undoubtedly found this the most convenient place to locate the spur and procure gravel.

Mr. MANN. The War Department gives no information whatever. It says that this bill has ample provisions to safeguard the interests of the Government. I should think that gentlemen with bills of this sort would have had more information concerning the facts in the case.

Mr. PRAY. I will say to the gentleman, this is a Senate bill, introduced by Senator DIXON, who makes a strong favorable report on the bill and presents a favorable report from the Secretary of War.

Mr. MANN. Yes; and the distinguished Senator from Montana introduced the bill and reported it without giving any information upon it, passed it, sent it over to the House; the committee of the House reports it without giving any information concerning it, and then the gentleman desires that the House pass it because the Senator who introduced it reported it ought to pass the Senate without having any information about it.

Mr. PRAY. Does the gentleman think the rights of the Government are not protected in the bill?

Mr. MANN. I do not know; I do not know what the facts are.

Mr. PRAY. If the gentleman will suggest an amendment, perhaps we can agree upon it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. PRAY. Mr. Speaker, I ask unanimous consent that it may be considered in the House as in Committee of the Whole House on the state of the Union.

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

Mr. FOSTER. Mr. Speaker, I just want to ask the gentleman a question. This company has this 40 acres of land on which is located the gravel and dirt which it is proposed to use for the railroad?

Mr. PRAY. Yes.

Mr. FOSTER. Do they own that 40 acres of land?

Mr. PRAY. The Government?

Mr. FOSTER. No; the railroad.

Mr. PRAY. No; the Government owns it. Two years ago Congress passed an act granting the right of way across the reservation to the Chicago, Milwaukee & Puget Sound Railroad Co. This is a large reservation and covers an immense territory. They need quantities of gravel, and this is one of the most convenient places. They need this gravel for ballast, and they applied for a right of way and authority to lease the tract.

Mr. FOSTER. This 40 acres belongs to the Government?

Mr. PRAY. Yes; this is Government land. It is to be leased to this company, and in turn they agree to furnish all the gravel the Government needs on its reservation.

Mr. FOSTER. This provides they shall have this right as long as there is any gravel or dirt existing there, so I take it the Government has given the railroad a perpetual lease, a right of way and a lease to this gravel and dirt on the 40 acres of ground.

Mr. PRAY. Well, of course I can not tell the gentleman how great a quantity of gravel there is in this tract.

Mr. FOSTER. It says until the dirt and gravel are exhausted.

Mr. PRAY. If it is the sense of the committee that it would operate as a perpetual lease, it might be amended.

Mr. FOSTER. Would not the gentleman be willing to strike out "until the supply shall be exhausted"?

Mr. PRAY. I do not see any objection to that, and yet further down, if the gentleman will notice, in the last paragraph the bill specifically provides that the Secretary of War may impose such conditions as he deems advisable.

Mr. FOSTER. But the bill gives it until all this is exhausted.

Mr. AKIN of New York. Suppose the railroad companies continue to work and are slow and do not exhaust the gravel, will that give them the right until they do?

Mr. PRAY. Well, I think the Secretary of War would guard against contingencies of that sort in his conditions in the lease and would require them probably to use due diligence and act in good faith.

Mr. AKIN of New York. Why not have a stated time to use this burrowing pit?

Mr. PRAY. Well, the Secretary of War would take care of that in the lease. That would be left to his discretion.

Mr. FOSTER. I think this gives them absolute perpetual grant to these 40 acres as long as the world stands.

Mr. PRAY. I do not see any objection, I will say to the gentleman, in amending the bill by striking out that part of it.

Mr. CANNON. Mr. Speaker, if the gentleman will allow me. There are 57,000 acres on this reservation, so stated, and this is to put in a spur. Suppose that gravel was 1,000 feet deep on that 40 acres; do you not think the Government is benefited by getting all the sand and gravel from the railroad it needs for all purposes on the reservation; and at this stage of the session does the gentleman think the bill ought to pass amended and have to be sent back to the Senate?

Mr. FOSTER. The only thing I thought of was—I do not know whether this military reservation will remain as a military reservation or not. Possibly it may not.

Mr. PRAY. I will say to the gentleman it is a military reservation, but not a military post. It was abandoned about three years ago. The Government now uses it as a remount station. I will state further to the gentleman that it seems to me that the bill provides that the Secretary of War may name such conditions in the lease as will fully protect all of the rights of the United States.

Mr. FOSTER. If the House wants to let it go—I do not think it is a good thing to give a lease forever.

Mr. ANTHONY. Does not the gentleman from Illinois think we can safely trust the Secretary of War to properly safeguard the matter?

Mr. FOSTER. You are giving the use of these 40 acres as long as the earth rolls.

Mr. ANTHONY. I think the gentleman will agree that Mr. Stimson is a very good conservationist and will properly safeguard this matter.

Mr. FOSTER. I know, but he is not making this bill.

Mr. PRAY. He has favorably recommended this bill, and he says it is all right. However, as before stated, I would have no objection to the amendment proposed by the gentleman from Illinois [Mr. FOSTER].

Mr. MANN. Mr. Speaker, I move to strike out, on page 1, line 4, the words "and directed" and to insert in lieu thereof the words "in his discretion."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 4, strike out the words "and directed" and insert in lieu thereof the words "in his discretion."

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

The amendment was agreed to.

Mr. FOSTER. Mr. Speaker, I move to strike out, on page 2, line 10, the words "until the supply thereof shall be exhausted."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 10, strike out the words "until the supply thereof shall be exhausted."

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

The amendment was agreed to.

The bill as amended was read a third time and passed.

JUVENILE COURT, DISTRICT OF COLUMBIA (H. DOC. NO. 913).

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

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, the Sixth Annual Report of the Juvenile Court of the District of Columbia, for the year ended June 30, 1912.

WM. H. TAFT.

THE WHITE HOUSE, *August 19, 1912.*

ACTING CLERK OF THE HOUSE.

The SPEAKER laid before the House the following communication, which was read:

AUGUST 19, 1912.

To the Speaker of the House:

Desiring to be absent from my office for a short period of time, I hereby designate the Chief Clerk of the House, J. C. South, Esq., to sign all papers that may require my official signature, and to do all other acts under the rules and practice of the House to be done by the Clerk of the House.

Respectfully submitted.

SOUTH TRIMBLE,
Clerk of the House.

INDIAN TRIBAL FUNDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 46) to amend section 2 of an act approved March 2, 1907, entitled "An act providing for the allotment and distribution of Indian tribal funds."

The bill was read in full.

Mr. MANN. Is there anybody here desiring to have this bill passed?

Mr. STEPHENS of Texas. I think it is a necessary bill and ought to be passed. The Indians are anxious to obtain their money from the United States Treasury for many purposes; for instance, in cases of old age, decrepitude, imbecility, or disease, and in cases where they are living on a homestead and this money would enable them to improve and cultivate their lands. It is to put funds in the hands of the Indians who are disposed to use them for their own benefit.

Mr. MANN. Let me see if I understand it correctly. Do I understand this bill would permit the Secretary of the Interior to pay to any Indian who has any funds in the United States Treasury the amount of money to his credit, or permit the Secretary to expend for his credit without the wish of the Indian? Is that correct?

Mr. STEPHENS of Texas. That is correct. But it must be done under such rules and regulations as the Secretary may prescribe. And some one, let me suggest to the gentleman, must see that this money, when it is withdrawn from the Treasury, is put in the hands of the Indians entitled to receive it and now needing it, and he certainly would put it in the hands of the superintendent or Indian agent where the Indians reside, and he could see that it was properly distributed. In some instances the Indians that own these funds are in hospitals, where they are being taken care of by the States where they live, although they have money in the United States Treasury.

Mr. MANN. I have no objection when an Indian is helpless and has money in the Treasury to have it expended through his guardians for the Indian's benefit, but this bill permits any money to be paid to any Indian without regard to his mental qualifications, although he may be perfectly sound physically, or it permits the Secretary of the Interior to expend it as the Secretary thinks proper and without regard to what the Indian thinks.

Mr. STEPHENS of Texas. Will the gentleman permit me further to suggest that this bill passed the House during the last Congress. The department is anxious that this bill shall become a law. I know of no good reason why these Indians should not have their money out of the Treasury as is provided in this bill.

Mr. AKIN of New York. Will the gentleman yield?

Mr. STEPHENS of Texas. Certainly.

Mr. AKIN of New York. If it is placed in the hands of the Secretary of the Interior will any of these shyster lawyers get a crack at it?

Mr. STEPHENS of Texas. Not at all. It is dispensed by the Secretary of the Interior through the Indian agent where the Indian resides.

Mr. AKIN of New York. Will there be any attorney's fees connected with it?

Mr. STEPHENS of Texas. None whatever. There could not possibly be any.

Mr. MANN. There is nothing to prevent the Indian paying it all to some attorney if he chooses to do so.

Mr. STEPHENS of Texas. Would the gentleman from Illinois [Mr. MANN] object if, in lines 6 and 7, page 2, we strike out this language:

Or to expend the same for his or her benefit.

Mr. MANN. Yes; I certainly would. Indians who are incompetent—and I believe there are some who are incompetent—I believe ought not to receive their money out of the Treasury, to be grabbed by the first white man that comes along. It will be easy to prepare a bill where the payment ought to be made where they need the money.

The SPEAKER. Is there objection?

Mr. MANN. I will object if I have to answer now.

The SPEAKER. The gentleman from Illinois objects.

Mr. MANN. I would like to see the bill passed if it could be passed in the proper shape.

BRIDGE ACROSS MISSOURI RIVER, YANKTON, S. DAK.

The next business on the Calendar for Unanimous Consent was the bill (S. 5882) to extend the time for the completion of a bridge across the Missouri River at or near Yankton, S. Dak., by the Winnipeg, Yankton & Gulf Railroad Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act approved April 5, 1904, authorizing the Winnipeg, Yankton & Gulf Railroad Co. to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., as amended by the act approved January 26, 1910, be, and the same is hereby, so amended that the time within which the said bridge is required to be commenced shall be within one year and the time within which it is required that the said bridge shall be completed shall be within three years from the date of the approval of this act: *Provided*, That the construction, maintenance, and operation of the said bridge shall be in all respects subject to and in accordance with the provisions of the act entitled "An act to regulate construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

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

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

WITHDRAWAL OF PUBLIC LANDS IN CERTAIN CASES.

The next business on the Calendar for Unanimous Consent was the bill (S. 5679) to amend section 2 of an act to authorize the President of the United States to make withdrawals of public lands in certain cases, approved June 25, 1910.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act of Congress approved June 25, 1910 (36 Stat. L., 847), be, and the same hereby is, amended to read as follows:

"SEC. 2. That all lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to minerals other than coal, oil, gas, phosphates, potash, and nitrates: *Provided*, That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands and who, at such date, is in the diligent prosecution of work leading to the discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects, and the bill is stricken from the calendar. The Clerk will read the next bill.

Mr. MONDELL. Mr. Speaker, I trust the gentleman from Illinois [Mr. MANN] will withhold his objection for a moment.

Mr. MANN. I reserve the right to object.

Mr. MONDELL. This is a very important bill. It changes the present law only——

The SPEAKER. The gentleman from Illinois [Mr. MANN] withdraws his objection, and reserves the right to object.

Mr. MONDELL. The bill changes the present existing law, Mr. Speaker, only by the addition of four words, on line 2, of page 2, and the condition that makes this change necessary is this: The present withdrawal law, while it provides for complete withdrawal of the lands also provides, in section 2, that the lands withdrawn shall be subject to exploration, discovery, occupation, and purchase under the mining laws, so far as the same laws apply to lands other than those classified as coal, oil, or gas lands. Now, the result of that is that while the department has withdrawn recently some lands containing phosphate, potash, and nitrates, the presence of which is discovered by the Government——

The SPEAKER. The gentleman from Illinois [Mr. MANN] withdraws his objection. Is there objection? [After a pause.] The Chair hears none. The Clerk will finish the reading of the bill.

The Clerk concluded the reading of the bill, as follows:

Provided further, That this act shall not be construed as a recognition, abridgment, or enlargement of any asserted rights or claims initiated upon any oil or gas bearing lands after any withdrawal of such lands made prior to June 25, 1910: *And provided further*, That there shall be excepted from the force and effect of any withdrawal made under the provisions of this act all lands which are, on the date of such withdrawal, embraced in any lawful homestead or desert-land entry theretofore made, or upon which any valid settlement has been made and is at said date being maintained and perfected pursuant to law; but the terms of this proviso shall not continue to apply to any particular tract of land unless the entryman or settler shall continue to comply with the law under which the entry or settlement was made: *And provided further*, That hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created, within the limits of the States ofOregon Washington, Idaho, Montana, Colorado, or Wyoming, except by act of Congress.

The SPEAKER. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I move that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from California [Mr. RAKER] moves that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects. Somebody will have to make a motion to go into Committee of the Whole if that is desired to be done.

Mr. MONDELL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of Senate bill 5679.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. That request has already been made and was not granted. The question is on the motion of the gentleman from Wyoming [Mr. MONDELL] that the House resolve itself into Committee of the Whole for the consideration of Senate bill 5679.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will report the next bill.

Mr. RAKER. Mr. Speaker, I ak unanimous consent to extend my remarks on this bill by inserting therein the message of the President showing the necessity of this legislation.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

SALE OF OLD POST-OFFICE BUILDING, PROVIDENCE, R. I.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25624) providing for the sale of the old post-office property at Providence, R. I., by public auction.

The Clerk read the bill as follows:

Be it enacted, etc., That the second paragraph of section 10 of the act of Congress entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," approved June 6, 1902 (32 Stat. L., p. 322), be, and it is hereby, amended so as to read as follows:

"When said building is completed and occupied by the United States authorities the Secretary of the Treasury is hereby authorized, in his discretion, to sell the present post office, courthouse, and customhouse building and the site thereof, situated at the corner of Weybosset and Custom House Streets, in the city of Providence and State of Rhode Island, at public auction, after proper advertisement, on such terms as he may deem to be to the best interests of the United States; to execute a quitclaim deed to the purchaser thereof, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt.

The SPEAKER. Is there objection?

Mr. NORRIS. Reserving the right to object, Mr. Speaker, I would like to inquire of some one having knowledge of the facts, what is the necessity for the sale of this property?

Mr. O'SHAUNESSY. Mr. Speaker, the gentleman may remember that earlier in the session a bill with substantially the same provisions, except that an upset price of $200,000 was placed upon the property, was introduced by me, was passed here and by the Senate, was approved by the President and became a law, and under that law we held a public auction of the post office and old customhouse site. But, as I anticipated, the upset price named in the bill was far too much, and even though the property was extensively advertised and there were a number of people there, it failed to produce the money contemplated.

Mr. NORRIS. This is property on which is located a Government building?

Mr. O'SHAUNESSY. It is.

Mr. NORRIS. How much did that public building cost?

Mr. O'SHAUNESSY. It cost $200,000 in 1857.

Mr. NORRIS. Is it not a fact that the property is a great deal more valuable now than it was then? Why does the Government want to get rid of it?

Mr. O'SHAUNESSY. The land is more valuable in that neighborhood, but the building itself is, in the opinion of real-estate experts, not so valuable.

Mr. NORRIS. The gentleman has told us that the Government in the auction of that property at this public sale did not receive a bid that came within the limit of the existing law, but he has not yet answered my question as to why the Government wants to get rid of this property.

Mr. O'SHAUNESSY. I will tell the gentleman. It is simply because the building is unoccupied and has been for several years, and it is a dead weight.

Mr. NORRIS. It does not cost the Government anything?

Mr. O'SHAUNESSY. It does not bring any revenue to the Government or to the city of Providence.

This is recommended to be sold for this reason: It is old and unfit for any purpose whatsoever. It would cost $100,000 to repair it, and the Government will be in a better position by getting whatever it is worth. The bill provides for the sale of it, and places the limit of cost at $125,000 to give some latitude to the bidding. In my estimation the property is worth $150,000, and I think it will bring that without any question.

Mr. NORRIS. The present law puts the limit of cost at $200,000.

Mr. O'SHAUNESSY. Yes; and we held an auction under that and could not get any bids.

Mr. NORRIS. What is the reason that the Government does not use the property?

Mr. O'SHAUNESSY. It is not fit for post-office purposes any longer.

Mr. NORRIS. But you have other Government offices.

Mr. O'SHAUNESSY. The most of the other offices are in the new post-office building, with the exception of one or two.

Mr. NORRIS. If we do sell this, will it not follow that the Government will have to rent quarters for some of the other Government offices?

Mr. O'SHAUNESSY. I can not answer that absolutely; that is all within the possibilities, but if the Government ever builds any other building for Government purposes they will be able to go where land is cheaper and erect a building better adapted for Government purposes than this is.

Mr. NORRIS. Why can not the Government build on this particular property; if the building is worn out, can not it build a new one on the same site?

Mr. O'SHAUNESSY. Because the building is so situated that it is not convenient or well adapted. There is an alley on one side of it.

Mr. NORRIS. That is a good thing.

Mr. O'SHAUNESSY. I know that; but it does not admit of free ingress and egress for wagons; it is too narrow.

Mr. NORRIS. Is not there a street on any side of the building?

Mr. O'SHAUNESSY. Yes; there is a street on one side, and a very broad street in front.

Mr. NORRIS. Then there are streets on two sides of it?

Mr. O'SHAUNESSY. Yes.

Mr. NORRIS. And an alley on the third side?

Mr. O'SHAUNESSY. Yes.

Mr. NORRIS. That ought to be a good opportunity to get in and out of the building. If a man can not get out on the street he can get out on the alley.

Mr. O'SHAUNESSY. The Department of the Treasury having charge of this building, the postmaster at Providence, and all the citizens say that the best interests of the Government will be subserved by selling the property and investing the money in some other way.

Mr. HUGHES of West Virginia. I want to ask the gentleman a question.

Mr. O'SHAUNESSY. I will yield.

Mr. HUGHES of West Virginia. Has the Treasury Department made any recommendation in reference to this?

Mr. O'SHAUNESSY. They recommended that it be disposed of three or four years ago.

Mr. NORRIS. I was formerly several years on the committee that has charge of these bills, and I know that on several occasions there were bills authorizing the sale of property and later on there was some sort of a scandal in reference to them. In looking it up I found that, as a rule, when the Government was disposing of property on which an old Government building existed, it never got what the property was worth. We have all heard about the New York customhouse, and yet at the time we sold that all the members of the New York delegation were anxious to get the sale made. They were anxious to lower the price, and afterwards there was quite a scandal came out of it, when, as a matter of fact, as far as Congress was concerned, every man acted in good faith.

Now, I remember when I was a member of the committee, and I think the gentleman from Alabama was on the committee at the time, we sold the property in one public-building bill out here in Washington, and later on it developed that it was a mistake to include it, that the Government needed it, and that the men who were trying to purchase it were buying it for the purpose of selling it later on to the Government again. Yet the committee in the best of faith could not see any immediate use that the Government could make of the property.

Now, in the city of Providence you have another Government building; one that is up to date, a new building. You propose to sell the old one, and you have tried to sell it at a price fixed and failed to get any bidders. It is a very easy matter for a man to prevent the sale being made of this kind of property. I can see how it is not property that would sell well on the market, but it will not be two years, perhaps, before the city of Providence will be before the committee endeavoring to get additional public buildings constructed in Providence. I am not saying that this bill is wrong, but on general principles I formed the opinion years ago, after going over the ground a good many times in different localities in the United States, that I never would favor the selling of real estate owned by the Government unless it was shown almost beyond a reasonable doubt that it was a good thing for the Government to sell it. Why not allow the Government to retain it? It is not suitable, perhaps, for a post office and never will be, but there are Government officers and other public Government officials that will have to be housed in the city of Providence, and I do not understand why at least we should be in such a hurry to dispose of this property.

Mr. BURNETT. I want to say to the gentleman from Nebraska that we have not been in a hurry because in 1902 the act providing for appropriations for public buildings authorized the sale, and I believe the upset price was $300,000. They made the effort time and time again to sell, and were unable to sell it; and the gentleman came before the committee with a bill without any upset price, but the committee was of the opinion that it ought to be set at $200,000. I remember the gentleman from Nebraska's caution, and wherever it was possible or probable that the Government would want to use the ground for some other purpose within a reasonable time, say 8 or 12 years, we thought the Government should retain it.

Mr. NORRIS. I would like to ask if the committee has made any investigation on that line. The present post office is a new one and does not at the present time, as I understand it, house all the Government officials in that city? Is that true?

Mr. BURNETT. I will ask the gentleman from Rhode Island to answer that question.

Mr. O'SHAUNESSY. I believe there are only two minor departments that are not housed in the new Federal building. What they are I do not think I can state at present.

Mr. NORRIS. We have this condition: We have the new building in which the officials have just gone in, and already it is too small to supply the needs of the Government, and with that condition facing us we are asked to sell the old Government building and the land on which it is situated.

Mr. HUGHES of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. NORRIS. Certainly.

Mr. HUGHES of West Virginia. I desire to ask the gentleman from Nebraska a question. In view of the statement of the Treasury Department that their advice is to sell this property because of its undesirability for the Government to retain, and that it will be undesirable for the future for a Government building, does the gentleman think it good policy or good business judgment for the Government to retain the property there as an eyesore to the people of the city of Providence, R. I.? Does the gentleman think it good policy to keep property when there is no prospect in the future that it will ever be used for Government purposes?

Mr. NORRIS. Why will it not be used for Government purposes?

Mr. HUGHES of West Virginia. On account of its undesirable location. It will never be used for Government purposes. That, as I understand it, is the report. In addition to that, a number of years have elapsed; and if there were any scheme in any way by which somebody desired bidders prevented from purchasing the property so that some one else might make something out of it, that would have taken place long ago. They have been unable, however, to get $200,000.

Mr. NORRIS. Mr. Speaker, in reply to the gentleman I would like to call his attention to what happened in reference to a public building several years ago in the city of New York, where they undertook to sell the old customhouse. If he will look at the record he will find that this is what happened: The law was changed several times. The Treasury Department recommended the sale of the old customhouse. The Government did everything it could to make a good sale. I have no doubt that they acted in the best of faith. Under several administrations it was advertised in the New York papers, and they tried to get bids.

The law was changed, and the upset price lowered, and they kept at it until they could get it to a figure where it was sold. In less than a year after that time there was a scandal all over the country, which was kept alive for several years, about the iniquity of the sale of the old customhouse in the city of New York. We heard it on the floor of Congress and we heard it through several campaigns. I do not believe that there was anything in it, because in that case I looked up everything I could find in regard to it, and I believe that everyone acted in good faith. Yet the facts were that they eventually sold that property for about one-fourth or one-fifth of its value, notwithstanding the fact that they proclaimed here on the floor of the House, with the Treasury Department backing them up, that the law ought to be changed in order to reduce the price so that somebody would buy it. There is not much of a recommendation here from the Treasury Department.

Mr. O'SHAUNESSY. It is in the report.

Mr. NORRIS. Here is a letter signed by George W. Gardner, who is the custodian of the building up there, and he says that they had a sale or tried to have one, but that no one came to bid; that there were a good many people there but no one bid, and that the Congressman, the gentleman from Rhode Island [Mr. O'SHAUNESSY], was there and told them that he was going to introduce a bill to cut the price down. Mr. Speaker, there is no doubt but that there were no bids. No one contends to the contrary.

Mr. O'SHAUNESSY. Mr. Speaker, I will ask the gentleman to let me read from a report that may prove more satisfactory to him. This was incorporated in the report accompanying the previous bill:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 8, 1912.

CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
House of Representatives.

SIR: Referring to your request for a report in connection with H. R. 4650, to authorize the Secretary of the Treasury to convey to the city of Providence, R. I., the building formerly used as a United States post office, courthouse, and customhouse, and the site thereof, I have the honor to submit the following:

The site was acquired in 1857, at a cost of $40,000. The building erected thereon cost approximately $200,000. Repairs and improvements put on the building since have cost approximately $90,000.

Since the completion of the new building the old building above referred to has remained vacant and is not needed for the purposes of the Government.

Section 10 of the act of Congress (omnibus public-building act), approved June 6, 1902 (32 Stat. U. S., 310), authorizing the construction of a new Federal building at Providence, R. I., contains a further authorization for the sale by the Secretary of the Treasury of the old post office, courthouse, and customhouse, and the site thereof, in said city, at the upset price of $300,000. Under the authority contained in said legislation the property in question has been advertised for sale but no offers were received. It is stated by the collector of customs, who is the custodian of said property, that the upset price fixed by the act of June 6, 1902, is in excess of the market value of said property. In a communication dated December 17, 1909, the custodian states, in part, as follows:

"The building is located in the immediate vicinity of several business blocks which have heretofore been used for wholesale mercantile business. At the present day, three large blocks formerly used for this purpose are entirely vacant and have stood so for more than a year.

"I cite these conditions as having a general bearing on the value of property in that immediate neighborhood.

"There have been two sales of sizeable parcels of real estate within a short distance of the building, both fronting on lower Westminster Street, which is one of the principal business thoroughfares of the city. Both of these parcels of land were sold at a price of $18 per foot.

"Immediately adjoining the old Federal Building on the north is a large 10-story office building occupying land which is taxed for $25 per foot.

"Business men with whom I have talked, and also real estate men, claim that the building is really a detriment to the sale of the land, as it is of such size, construction, and arrangement as to necessitate tear-

ing down altogether, or if changed so as to afford natural light (an element which in its present condition is woefully lacking) would require very great expense.

"My familiarity with the building convinces me that to devote it to any modern business purpose would require a large outlay of money to put the basement in proper shape, as the building is built on made land formerly tideflowed, and water now comes into the cellar so much as to require an automatic cellar drainer to keep it reasonably dry.

"A complete new heating system would be required throughout the building, as well as ventilation, elevators, and plumbing. This last would be a very considerable feature.

"While the structure is of granite, the materials in the walls can not be made of very much use if the building were torn down, and if not torn down the cutting of the walls to afford the necessary light could hardly be achieved without some architectural disfigurement.

"In view of all these considerations and basing my opinion upon the ideas of men familiar in a business and technical way with property of this nature in this part of the city, I am of the opinion that the Government will hardly realize from the property more than a reasonable value for the land itself."

The site of the new building was donated to the United States by the city of Providence, and its value at the time was greatly in excess of the sum which would be likely to be realized from the sale of the old Federal building and the site thereof.

The department does not wish to submit any recommendation with respect to this matter.

With respect to H. R. 13774, which, in effect, amends the authority given by the act of Congress approved June 6, 1902, for the sale of said property so as to authorize the sale of the property at public auction without fixing an upset price, I have to state that if this measure becomes a law the efforts of the department to sell the property would probably be facilitated.

Respectfully, FRANKLIN MACVEAGH, *Secretary.*

I desire the gentleman to remember that there are 8,000 square feet of land in this particular site, so that he may estimate the value for himself. At $25 a square foot it would make $200,000.

Mr. NORRIS. Is the building on it worth anything?

Mr. O'SHAUNESSY. It is supposed to be worth nothing.

Mr. NORRIS. As a matter of fact, the Government has put about $300,000 into the building.

Mr. BURNETT. Not the building alone.

Mr. NORRIS. Yes.

Mr. O'SHAUNESSY. It cost $200,000.

Mr. NORRIS. And $90,000 for improvements.

Mr. O'SHAUNESSY. That was in 1857.

Mr. NORRIS. When was the $90,000 expended?

Mr. O'SHAUNESSY. During the half century, and they all say it would take $100,000 to put the building in a tenantable condition. It resolves itself into a business proposition, whether it is best to expend $100,000 or to obtain $150,000.

Mr. HUGHES of West Virginia. And then, as I understand it, the location is not a desirable one.

Mr. NORRIS. It resolves itself into this, whether we will give this away now and next year have the Representatives from Rhode Island asking the Government to expend a half million to buy a new site for a building and a new building in Providence, R. I.

Mr. O'SHAUNESSY. Oh, no.

Mr. NORRIS. But I am afraid that is what we will be up against.

Mr. UTTER. Mr. Speaker, will the gentleman yield?

Mr. NORRIS. Certainly.

Mr. UTTER. Mr. Speaker, I sincerely hope the gentleman from Nebraska will withdraw any objection he has to this bill. It is a bill that ought to be passed. The building as it stands now is in a section of the city that is undesirable for such a building. If it were undertaken now to repair it, it would cost at least $100,000. The building stands as an eyesore to the public, and it is a detriment to the property upon all sides. If the Government should ever demand more room, it would ask for it in an entirely different location in the city.

Mr. NORRIS. That is just the proposition. The Government could hold court there. The Government could have its customs officials there. Any Government office could be held there, except possibly the post office.

Mr. UTTER. The building itself could never be fixed over so as to make a proper place for the courts. One of the reasons why the new building was erected was to give the courts conveniences that the old building did not possess.

Mr. HUGHES of West Virginia. And the gentleman has just stated that the wholesale houses that occupy usually the most undesirable parts of a city have left that locality on account of its undesirability.

Mr. UTTER. That is true.

Mr. HUGHES of West Virginia. And now the gentleman from Nebraska would like to have the courts held there.

Mr. NORRIS. Mr. Speaker, I would just as lief have the courts held where there are empty business blocks as to locate them straight across the street from a $1,000,000 hotel or some residence property. You do not have to have a marble front across the street from a courthouse in order to get justice. It makes no difference particularly where your courts are held, so long as they are in a healthy locality.

Mr. O'SHAUNESSY. They are located in the new building.

Mr. UTTER. The courts are in the new building. This building is not adequate——

Mr. NORRIS. For what is it adequate?

Mr. UTTER. It is not adequate for anything except to be pulled down.

Mr. NORRIS. There is another point. The Government has spent $300,000 in putting it there and now it is worth nothing because you desire it pulled down. What about the new building?

Mr. UTTER. It is a fine building. It is a fine thing for the community in every way.

Mr. NORRIS. Now, I want to ask the gentleman why there is such a great necessity for the Government to sell this property, because it does not need the money?

Mr. UTTER. Because, for one thing, this building is situated at a place where it has now become an eyesore to everybody who sees it and where it has been a detriment to neighboring property.

Mr. NORRIS. Why a detriment?

Mr. UTTER. Because of its appearance and condition.

Mr. NORRIS. Now, the gentleman or his colleagues have tried to argue we ought to sell this property because the wholesale houses in that vicinity are vacant and therefore we could not expect Government officials to have offices and do business in that vicinity. Now, the gentleman says that we ought to sell it because it is a detriment to business, so that people never come to that vicinity. How can it hurt business if there is no business there?

Mr. UTTER. For the reason that people have left that region. The people who have been doing business in that region have gone away because of the presence of that old building. Now, the best thing we can do for the country and the State is to dispose of the building and turn the money into some practical channel.

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

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 9, insert after the word "advertisement" the words "once a week for four successive weeks in some daily newspaper published in said city."

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

Mr. ALEXANDER. Mr. Speaker, I move to strike out the last word. My purpose in doing that is in asking unanimous consent to extend my remarks by inserting some remarks on the work of the Committee on the Merchant Marine and Fisheries during the present session.

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

The Clerk read as follows:

Page 2, after the word "receipt" insert "*Provided*, That no bid for less than $125,000 shall be accepted, and the Secretary of the Treasury reserves the right to reject any bid."

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

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

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

WITHDRAWAL OF PUBLIC LANDS IN CERTAIN CASES.

Mr. MONDELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONDELL. A moment ago unanimous consent was given for the consideration of S. 5679, an act to authorize the President of the United States to make withdrawals of land, and so forth, and on the motion to go into the Committee of the Whole House for the consideration of the bill the Chair declared that the noes had it. I desire to ask what the parliamentary status is with regard to that bill?

The SPEAKER. It was passed without prejudice.

Mr. MONDELL. Now, Mr. Speaker, I ask unanimous consent to return to that bill, and I renew the request that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman puts two motions at once. The gentleman from Wyoming asks unanimous consent to return to the consideration of S. 5679. Is there objection? [After a pause.] The Chair hears none. The gentleman also asks unanimous consent to consider this bill in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he would be willing to insert, on page 2, line 1, before the word "minerals" the word "metalliferous" and leave out line 2.

Mr. MONDELL. What is the gentleman's suggestion?

Mr. MANN. Insert before the word "minerals," in line 1, page 2, the word "metalliferous" and leave out line 2, so it would authorize the exploration of land withdrawn so far as the same applies to metalliferous minerals.

Mr. MONDELL. Well, as I understand, the gentleman would insert the word "metalliferous" after the word "to," in line 1, page 2.

Mr. MANN. Yes.

Mr. MONDELL. And to strike out all of line 2.

Mr. MANN. Yes.

Mr. MONDELL. I have no objection to that, Mr. Speaker. As a matter of fact, I very earnestly contended for the use of the language the gentleman now proposes at the time the bill passed and am glad to agree to the amendment.

Mr. MANN. The gentleman was right then, and I am glad he is willing to agree to it.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. Is there objection to considering it in the House as in the Committee of the Whole House on the state of the Union? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to insert, page 2, line 1, before the word "minerals" the word "metalliferous" and to strike out line 2, all except the colon.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, insert before the word "minerals" the word "metalliferous" and strike out all of line 2, page 2, with the exception of the colon at the end of the line.

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

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 3, line 2, insert after the words "States of" the word "California."

Mr. MANN. Mr. Speaker, when the original of this bill was passed a couple of years ago the Senate succeeded in getting into it a provision that there should be no more forest reserves created in Oregon, Washington, Idaho, Montana, or Wyoming, except by act of Congress. The gentleman from California now has succeeded in having added an amendment to this bill to add to this bunch of States the State of California. I have heard gentlemen on the floor of the House from these States so often speak of the large acreage of forest reserves in their States that I would like to inquire of the gentleman from California [Mr. RAKER] if there is land left in the State that could be created into a forest reserve?

Mr. RAKER. I would state that all the remaining lands of the same kind and character in the State of California could be included in the reserves. There will be no objections at any time to extending these reserves if the President should so request and upon presenting same to the Congress full consideration could and would be given and relief duly granted.

Mr. MANN. Why should we include it?

Mr. RAKER. The timber lands are practically already in the reserves. In addition there is a great quantity of land which is practically not timber, but is reserved for the purpose of protecting watersheds and water-power rights and water-power sites. It is very extensive and covers a great area of country, and I think better results would be obtained to leave it as it stands, and when Congress sees fit to change the boundary on the recommendation of the President and the various departments it could be done.

Mr. MANN. The gentleman has been here sufficiently long, I am sure, to know that to create a forest reserve by act of Congress is practically impossible, or even to get the boundaries of a forest reserve corrected by act of Congress. Now, the gentleman's State having a large area of public domain, when it may become extremely desirable to protect the water supply they are fixed so it would be impossible to do so. I take it the gentleman is not fearing that there will be any great number of forest reserves created in California in the near future or that it will be done in the present national forests except for a special emergency. If that should arise the gentleman will have legislation fixed so that it will be possible to meet the emergency.

Mr. RAKER. Under the law as it is now it would be impossible.

Mr. MANN. If this bill passes, you could not do that. If it becomes necessary to set aside a piece of land for forest reserve for the purpose of protecting a water supply of a city, as we practically did in reference to Pikes Peak recently, where we passed a bill to permit the water of a forest reserve to be used, the forest reserve having been created practically for that purpose, with the gentleman's amendment that is practically impossible.

Mr. MONDELL. I think that is hardly true. I think the case the gentleman cites could have been provided for.

Mr. MANN. That is where the forest reserve had been created——

Mr. MONDELL. Because if this amendment passes, the President still has authority under section 1 of the withdrawal act to make temporary withdrawal for such purposes.

Mr. MANN. Except in some special instances. He is permitted to make a temporary withdrawal for the purpose of protecting from pollution the water supply of the city.

Mr. MONDELL. I think he is permitted in section 1 of the act——

Mr. RAKER. I will state that with the word "metalliferous" in there he could reserve them for metalliferous purposes.

Mr. MANN. We have not given him any additional authority. This only prevents the land from being explored for metalliferous ores. That does not affect the quantity of land reserved, because this is only an exploration of land already reserved. It does not give authority to reserve land from metalliferous minerals.

Mr. MONDELL. Section 1 authorizes the President to reserve land for water-power sites and other public purposes. The words "other public purposes" are very broad and construed very broadly by the department, and they withdraw land for public purposes very liberally. They recently withdrew some land in Colorado that a municipality had made application to purchase as coal land, for example.

Mr. MANN. They withdrew them as coal lands under the law provided for the purpose.

Mr. MONDELL. They withdrew them from sale pending legislation.

Mr. MANN. Under the law expressly providing for coal lands.

Mr. MONDELL. They did not so withdraw them, but they withdrew them from sale and disposition. I do not care particularly to discuss the merits of the question of adding California to the list of States in which forest reserves can not be established or enlarged except by act of Congress, as that is a matter that particularly interests the gentleman from California [Mr. RAKER], and he is entirely competent to handle that question; but I think, if it is added to the list of such States, it would not prevent the President from making temporary withdrawal for forestry purposes. As a matter of fact, in the States named there have been, I think, temporary withdrawals since the provision was made.

Mr. MANN. Temporary withdrawals.

Mr. MONDELL. With a view of possibly increasing the area of forest reserves.

Mr. MANN. My distinguished friend was once Assistant Secretary of the Interior, and may be able to speak by the card, but here is the law that hereafter no forest reserve shall be created or added to any hereafter created within the limit of certain States. If the gentleman assumes that means nothing, what is the use of including California, anyway?

Mr. MONDELL. I just referred the gentleman to the first section of this act, under which the President can make withdrawals. Clearly the President could not enlarge forest reserves in California if this amendment should be adopted, but I am of the opinion he could, under section 1 of the withdrawal act, make temporary withdrawals, wherever necessary, with a view of suggesting legislation or in view of proposed legislation.

Mr. RAKER. I believe it would be very beneficial to California in the large mountain districts.

Mr. MANN. I fear the gentleman only offered that amendment because he, being a member of the committee and his seeing that these other States were included, thought it would be a good thing for California if it was going to be a good thing for them. But the situation is quite different in California from what it is in Wyoming or Montana. I do not know whether it is different from what it is in Oregon or Washington.

Mr. RAKER. How could it be different in Oregon?

Mr. MANN. I say I do not know whether it is different from the situation in Oregon or Washington. I do not know, either, the provisions of the law that was passed in the first place.

Mr. RAKER. I will say to the gentleman that before this bill was introduced in the Senate—the one that is here now—I had prepared and introduced a bill in the House, and it went to the committee, and we had a partial hearing on it, and it was

continued. Then, afterwards, when the Senate bill came over, we naturally took the Senate bill and amended it and reported it to the House. I have had some correspondence in regard to nitrates and potash, some in my district and some outside. I think that part of our territory has been covered by reserves, and that should not be changed except by act of Congress, and when the time comes I am satisfied that the House of Representatives will eliminate reserves and add to reserves as the conditions require, and I believe that it will be to the public interest to include California at this time. I ask Members to leave the amendment in, if they can consistently see their way clear to do so.

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

The question was taken; and the Speaker pro tempore announced that the "ayes" seemed to have it.

Mr. MANN. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 9, noes 4.

So the committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the amended bill.

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

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The report is as follows:

[House Report No. 1057, Sixty-second Congress, second session.]

WITHDRAWAL OF PUBLIC LANDS IN CERTAIN CASES.

Mr. RAKER, from the Committee on the Public Lands, submitted the following report, to accompany S. 5679.

The Committee on the Public Lands, to whom was referred S. 5679, "An act to amend section 2 of an act to authorize the President of the United States to make withdrawals of public lands in certain cases, approved June 25, 1910," having given the same careful consideration, they agreed to recommend the following amendment:

Line 1, page 3, insert between the word "of" and the word "Oregon" the word "California" and then a comma after the word "California."

As thus amended the committee recommend that the bill do pass.

The addition of the words "potash or nitrates," which is found on line 11, page 1, is the only change the bill proposes to make to section 2 of the act of June 25, 1910 (36 Stat., 847), and adding the word "California" on line 1, page 3, making the provisions of the bill under the proviso applicable to the State of California as well as to the States now named in the bill.

The purpose of the bill as amended is to extend the scope of the withdrawal act so as to confer upon the President authority for the protection of the land valuable for potash or nitrates until an adequate law for their disposal shall have been enacted.

The Secretary of the Interior in his last report called attention to the fact that the present withdrawal act grants the President no authority to withdraw from entry and protect lands valuable for potash or nitrates, and we recommend that the legislation giving the President such authority be enacted by Congress.

The committee desires also to call attention to the message of the President of the United States suggesting the enactment of laws for the protection of deposits of potash and nitrates, sent to Congress March 26, 1911. (H. Doc. No. 644, 62d Cong., 2d sess.)

The bill now pending in the Senate was referred to the Department of the Interior, and the following is the report thereon:

DEPARTMENT OF THE INTERIOR,
Washington, March 21, 1912.

Hon. REED SMOOT,
Chairman Committee on Public Lands, United States Senate.

SIR: I am in receipt of a copy of Senate bill 5679, accompanied by request from your committee for report.

In reply I beg to state that the only change introduced by the amendment proposed to section 2 of the act of June 25, 1910 (36 Stat., 847), is the substitution of the terms "metalliferous minerals" for the words "minerals other than coal, oil, gas, and phosphates" contained in the first sentence of said section.

The form of the bill as introduced follows a proposed draft heretofore prepared by the department. As was suggested in the annual report of the department for the year ending June 30, 1911, said act of June 25, 1910, permits the location, occupation, entry, purchase, and mining upon withdrawn lands of all forms of mineral deposits other than deposits of coal, oil, gas, and phosphates, leaving no adequate protection for withdrawn areas valuable for their mineral deposits of potash or nitrates.

Attempts have been made also to secure title to withdrawn lands for the removal of sand and gravel, and difficulties have arisen in connection with claims presented for alleged stone and gypsum deposits, which opens the way to serious abuse when attempted upon lands withdrawn for important public purposes, such as water-power sites or storage reservoirs.

The form of the bill submitted would in future confine occupation, exploration, purchase, and mining upon lands withdrawn under said act of June 25, 1910, to metalliferous minerals, and while thus affording opportunity for the development of this valuable class of minerals would prevent the disposition or attempted acquisition of these lands under locations and applications advanced under the mining laws for nonmetalliferous deposits.

Attention is called to line 7, page 1, of the bill, as printed, and it is suggested that instead of reading within the quotation "Sec. 1" the designation should be "Sec. 2," for it is section 2 of the act of June 25, 1910, which is amended.

The bill submitted meets with the entire approval of the department, and it is respectfully recommended that the same be enacted.

Very respectfully,

SAMUEL ADAMS,
First Assistant Secretary.

On March 29, 1912, Mr. RAKER introduced in the House bill H. R. 22582, which is in the identical language of Senate bill 5679 as passed by the Senate, with the exception that it adds the word "California" as herein stated. The House bill is as follows:

[H. R. 22582, Sixty-second Congress, second session.]

A bill to amend section 2 of an act to authorize the President of the United States to make withdrawals of public lands in certain cases, approved June 25, 1910.

Be it enacted, etc., That section 2 of the act of Congress approved June 25, 1910 (36 Stat. L., p. 847), be, and the same hereby is, amended to read as follows:

"SECTION 1. That all lands withdrawn under the provisions of this act shall at all times be open to exploration, discovery, occupation, and purchase under the mining laws of the United States, so far as the same apply to minerals other than coal, oil, gas, phosphates, potash, and nitrates: *Provided*, That the rights of any person who, at the date of any order of withdrawal heretofore or hereafter made, is a bona fide occupant or claimant of oil or gas bearing lands and who, at such date, is in diligent prosecution of work leading to the discovery of oil or gas, shall not be affected or impaired by such order so long as such occupant or claimant shall continue in diligent prosecution of said work: *And provided further*, That this act shall not be construed as a recognition, abridgment, or enlargement of any asserted rights or claims initiated upon any oil or gas bearing lands after any withdrawal of such lands made prior to June 25, 1910: *And provided further*, That there shall be excepted from the force and effect of any withdrawal made under the provisions of this act all lands which are, on the date of such withdrawal, embraced in any lawful homestead or desert-land entry heretofore made, or upon which any valid settlement has been made and is at said date being maintained and perfected pursuant to law; but the terms of this proviso shall not continue to apply to any particular tract of land unless the entryman or settler shall continue to comply with the law under which the entry or settlement was made: *And provided further*, That hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created, within the limits of the States of California, Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by act of Congress."

Bill H. R. 22582 was referred to the Secretary of the Interior, and he made the following report thereon:

DEPARTMENT OF THE INTERIOR,
Washington, April 10, 1912.

Hon. JOSEPH T. ROBINSON,
Chairman Committee on the Public Lands,
House of Representatives.

SIR: I am in receipt, by reference from the White House, of copy of H. R. 22582, Sixty-second Congress, second session, accompanied by your request to the President of April 1, 1912, for suggestions and recommendations thereon, and also have received your letter of the same date addressed to the department requesting a report on the same bill.

The bill submitted provides for amendment to section 2 of the act of June 25, 1910 (36 Stat., 847), by adding to the enumeration of minerals in the first sentence of said section "potash and nitrates." The effect of the amendment will be to preclude exploration, discovery, occupation, or purchase under the mining laws of withdrawn areas containing deposits of potash and nitrates. The department is favorable to such legislation, but would recommend that, in lines 10 and 11, page 1 of the printed bill, the words "minerals other than coal, oil, gas, phosphates, potash, and nitrates" be stricken out and in lieu thereof the words "metalliferous minerals" be inserted.

Attention is called also to line 7, page 1 of the bill as printed, and it is suggested that instead of reading within the quotation marks "Section 1," the designation should be made "Section 2," for the reason that it is section 2 of said act of June 25, 1910, to which the amendment relates.

It is noted that to the list of six States mentioned in the last proviso in the original section, relating to the creation of forest reserves, the State of California is added by the present bill. As the Department of Agriculture is more directly concerned with this feature of the proposed legislation than is this department, and as I am informally advised that the Agricultural Department also has this bill under consideration for report, no further comment upon this change is necessary.

In connection with this bill I would invite your attention to Senate bill 5679, which is similar to the bill here under consideration, save that the terms "metalliferous minerals" are employed in place of the enumeration of the nonmetallic substances—coal, oil, gas, phosphates, potash, and nitrates—and that the State of California is not added to the proviso above mentioned. On March 21, 1912, the department submitted a favorable report upon said Senate bill 5679.

This legislation is in line with suggestions contained in the annual report of the department for the year ended July 30, 1911, in which it was, in substance, stated that the act of June 25, 1910, now permits the location, occupation, entry, purchase, and mining upon withdrawn lands of all forms of mineral deposits other than those of coal, oil, gas, and phosphates, leaving no adequate protection for withdrawn areas valuable for their mineral deposits of potash or nitrates. Furthermore, attempts have been made to secure title to withdrawn lands for the removal of sand and gravel, and difficulties have arisen in connection with claims presented for alleged stone and gypsum deposits, which opens the way to serious abuse when attempted upon lands withdrawn for important public purposes, such as water-power sites or storage reservoirs.

The form of bill, modified as above suggested, would in the future confine occupation, exploration, purchase, and mining upon lands withdrawn under the act of June 25, 1910, to metalliferous deposits, and while thus affording opportunity for the development of this valuable class of minerals would prevent the disposition or attempted acquisition of these lands under locations and applications presented pursuant to the mining laws for nonmetalliferous deposits.

With the changes above suggested incorporated therein, the department respectfully recommends that the bill be enacted.

Very respectfully,

WALTER L. FISHER, *Secretary.*

House bill 22582 was referred to the Department of Agriculture, and the Secretary of Agriculture made the following report thereon:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, April 12, 1912.

Hon. JOSEPH T. ROBINSON,
Chairman Committee on the Public Lands,
House of Representatives.

DEAR MR. ROBINSON: I am in receipt of your letter of April 1, inclosing a copy of the bill (H. R. 22582), introduced by Mr. RAKER, to

amend section 2 of an act to authorize the President of the United States to make withdrawals of public lands in certain cases, approved June 25, 1910.

National forest lands are not subject to appropriation under the timber and stone, desert-land laws, scrip locations, nor the homestead law except under the act of June 11, 1906 (33 Stat., 233). The forest lands are, however, open to location and entry under the various mining laws the same as if they were a part of the unreserved public domain. It is believed that a very small part of the national forest lands have been appropriated under the mining laws, except where the areas were chiefly valuable for the minerals contained therein. Only a very small area of national forest land, therefore, has been withdrawn under the act of June 25, 1910.

Nearly all of the withdrawals under the act of 1910 have been made upon the public lands outside the forest boundaries, since those lands are subject to appropriation under the public-land laws generally and have not the protection applied to areas within national forests. Since most of the withdrawals have been made by the Secretary of the Interior of lands entirely under the jurisdiction of his department, it is suggested that he be asked to report upon this proposed measure.

It is noted that in the proviso of the proposed bill that the State of California is added to the original bill. The effect of this would be that no lands chiefly valuable for forest cover could be withdrawn in that State or made a part of a national forest. At the time that language was first considered in Congress the Representatives of the State of California did not desire to limit the discretion of the President to establish national forests within that State. The bill which carried that amendment and became the act of March 4, 1907 (34 Stat., 56), limited the discretion of the President only as to the other six mentioned. Since that limitation has been imposed large bodies of land supporting merchantable timber have been found to adjoin several of the national forests. These lands are of the character and cover which it was directed that the President should set apart as national forests. Those areas could be administered in connection with the other forest land without material additional cost to the Government, and in many cases the lack of authority to administer them has often seriously hampered the administration of the adjacent national forests. Most of those areas which should be administered still remain unappropriated, because they are of the character which are not suitable for homestead entry, and in their present state they are serving no useful purpose.

I believe, therefore, that the last proviso in the bill should be stricken out.

Very sincerely, yours, JAMES WILSON, *Secretary.*

The bill being referred to the Department of Justice, it made the following report thereon:

DEPARTMENT OF JUSTICE,
Washington, D. C., April 8, 1912.

Hon. J. T. ROBINSON,
Chairman Committee on the Public Lands,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of April 1, 1912, inclosing for report a copy of H. R. 22582, Sixty-second Congress, second session, amending section 2 of the act of June 25, 1910 (36 Stat. L., 847), which authorizes the President to make withdrawals of public lands in certain cases.

The changes proposed to be made in the act of 1910 are that lands valuable for potash and nitrates are added to those which, after being withdrawn, are not subject to exploration and purchase under the mining laws, and California is added to the States within which no forest reserves shall be created or any additions made to one heretofore created except by act of Congress. This is a matter of legislative policy to be determined by the Congress, and information respecting the subject is in the possession of the Departments of Agriculture and the Interior. It is not believed that this department can make any recommendation that would be of benefit to the committee further than to suggest that the number of the amended section be changed from 1 to 2.

For the Attorney General:

ERNEST KNAEBEL,
Assistant Attorney General.

House bill 22582 was referred to the President, and his report thereon is as follows:

THE WHITE HOUSE,
Washington, April 2, 1912.

Hon. JOSEPH T. ROBINSON,
House of Representatives.

MY DEAR MR. ROBINSON: The President directs me to acknowledge the receipt of your letter of the 1st instant, together with a printed copy of H. R. 22582, by Mr. RAKER, of California, upon which the Committee on the Public Lands of the House of Representatives desires a report, suggestions, and recommendations, and to advise you that he has referred it to the Secretary of the Interior.

Sincerely, yours,

CHARLES D. HILLES,
Secretary to the President.

The SPEAKER pro tempore. The Clerk will report the next bill.

CIVILIAN EMPLOYEES, NAVY DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20193) authorizing the Secretary of the Navy to pay a cash reward for suggestions submitted by civilian employees of the Navy Department for improvement or economy in manufacturing processes or plant.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to offer periodically a cash reward for the suggestion, or series of suggestions, for an improvement or economy in manufacturing processes or plant, submitted within the period by one or more of the civilian employees of the Navy Department which shall be deemed the most valuable of those submitted and adopted for use: *Provided*, That to obtain this reward the winning suggestion must be one that will clearly effect a material economy in production or increase efficiency or enhance the quality of the product in comparison with its cost: *Provided further*, That the sums awarded to employees in accordance with this act shall be paid them in addition to their usual compensation and shall constitute part of the general or shop expense of the establishment: *Provided further*, That the total amount paid under the provisions of this section shall not exceed $1,000 in any month: *And provided further*, That no employee shall be paid a reward under this act until he has properly executed an agreement to the effect that the use by the United States of the suggestion, or series of suggestions, made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, this bill as reported follows the form of the bill introduced by the gentleman from Connecticut [Mr. TILSON] in relation to the Army, in the main, but it does not include the amendments which were inserted in the Tilson bill as it passed the House or as it became a law.

Mr. PADGETT. I think it is a copy of the Tilson bill as it passed the House. I do not know whether it is the same as the Tilson bill as it became a law.

Mr. MANN. It is a copy of the Tilson bill as reported to the House, not as it was passed.

Mr. PADGETT. This report says, "as it passed the House of Representatives, February 28, 1912."

Mr. MANN. The gentleman has that copy, but undoubtedly he did not follow that copy. Let me ask the gentleman this question first. The rest is perhaps more easily disposed of. In the Army appropriation bill we limit this to the Ordnance Department.

Mr. PADGETT. This applies to the other departments as well as the Ordnance in the Navy?

Mr. MANN. This applies to everything in the Navy. The other bill applies not to everything in the Army.

Mr. PADGETT. It says "economies in manufacturing processes or plant." It does not apply to clerical matters or anything of that kind. It applies only to the manufacturing department.

Mr. MANN. It would apply to economies in manufacturing processes or plant if you had a clerk in the department who made or devised one. I mean it applies all through the Navy to everything. We limited the proposition in the Army to the Ordnance Department. I do not know whether this is desirable or not. The matter was experimental. Does not the gentleman think that just at present, if we add this to the Navy, we ought to limit it in some way?

Mr. PADGETT. Well, sir, I do not know. In the Navy Department we have some other bureaus, but if the gentleman insists upon it, I would not object to his amendment.

Mr. MANN. Knowing, as we do, that this is an experiment—and I think a very wise experiment—and knowing that there is no possibility of doing a thing for the Army that we do not do for the Navy without getting into a controversy right away with the officers, I think this should be limited to the Ordnance. In other words, as soon as we do anything for one of these services that we have not done for the other we are pestered by the other to do the same thing for it, and if we apply this all the way through for the Navy we will have the Army on our shoulders insisting that the same thing be applied there. As long as it is experimental, let us temporarily confine it to the same branch of the service.

Mr. PADGETT. Has the gentleman an amendment there?

Mr. MANN. I have. Add, after the word "periodically," on page 1, line 4, the words "at such establishments of the Ordnance Department as he may select"; and then, over on page 2, line 3, add, after the word "cost," the words "and in the opinion of the Secretary shall be so worthy as to entitle the employee making the same to receive the reward."

Mr. PADGETT. Are those the only ones?

Mr. MANN. Then, on page 2, line 10, where it says "shall not exceed $1,000 in any month," change it so that it will read "for any one month," in order to make the two bills identical.

Mr. PADGETT. Very well, I have marked them here on the Army bill.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] offers amendments, which the Clerk will read. But first, does the gentleman from Illinois object to the present consideration of the bill?

Mr. MANN. I do not.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. PADGETT. I ask unanimous consent, Mr. Speaker, that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The Clerk will report the committee amendment first.

The Clerk read as follows:

Page 2, line 6, strike out the words "constitutes part of the general or shop expense of the establishment" and insert in lieu thereof the words "be paid out of the appropriation 'Pay, miscellaneous.'"

Mr. MANN. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amend, page 1, line 4, by adding, after the word "periodically," the following: "and such of the arms of the Ordnance Department as he may select."

The amendment was agreed to.

Mr. MANN. I offer the following amendment.

The Clerk read as follows:

Amend, page 2, line 3, by adding, after the word "cost," the following: "and in the opinion of the Secretary shall be so worded as to entitle the employee making the same to receive the reward."

The amendment was agreed to.

Mr. MANN. I offer the following amendment.

The Clerk read as follows:

Amend, page 2, line 10, by striking out the word "in" and inserting in lieu thereof the word "for." And by adding, after the word "any," the word "one."

The amendment was agreed to.

The SPEAKER pro tempore (Mr. FLOOD of Virginia). The question is on the engrossment and third reading of the bill.

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

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MINING EXPERIMENT STATION, SILVERTON, COLO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22081) to establish a mining experiment station at Silverton, San Juan County, Colo., to aid in the development of the mineral resources of the United States, and for other purposes.

The Clerk read the bill at length.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I reserve the right to object.

Mr. HAUGEN. Mr. Speaker, I rise for the purpose of asking unanimous consent to extend some remarks in the RECORD by printing, entitled "The Desired Oleomargarine Legislation," and also a bill prepared by the dairy interests.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, before the gentleman from Illinois gives his reasons for reserving the right to object, I would like to ask the chairman of the committee whether my colleague, the gentleman from Colorado [Mr. TAYLOR] left any instructions with him in reference to this bill, in the nature of a request to have the bill passed on the calendar?

Mr. FOSTER. I will say that he did not.

Mr. MANN. I would like to ask my distinguished colleague from Illinois how many bills there are on the calendar for establishing mining experiment stations in the various parts of the United States?

Mr. FOSTER. I think there is one in Colorado, one in California, one in Utah, one in Montana.

Mr. NORRIS. Is there any member of the committee that has not had a bill of this kind reported for him?

Mr. FOSTER. Oh, yes.

Mr. NORRIS. Then you have not got around yet? [Laughter.]

Mr. FOSTER. Oh, no.

Mr. MARTIN of Colorado. I would like to make an observation, suggested by the question of the gentleman from Nebraska, and that is that if there were similar bills for the establishment of experiment stations all over the country, that would not indicate any lack of merit in this bill.

Mr. NORRIS. Oh, no.

Mr. MARTIN of Colorado. It would, however, indicate a widespread demand for such plants, and I do not believe that there is a spot on earth better fitted and more suitable for an experimental station than the San Juan region of Colorado.

Mr. NORRIS. The gentleman is not a member of that committee, and I doubt very much whether his statement would be concurred in by members of the committee; for instance, the gentleman from California, who has a bill 2 or 3 inches lower down on the calendar to establish a station in California.

Mr. MANN. I suggest to my distinguished friend from Colorado that I rather share his views on the subject. I think probably there is no better place in the country more worthy to have an experimental mining station than Silverton. I have been there, and I was glad to get away as soon as I could. [Laughter.]

Mr. MARTIN of Colorado. I do not think it would have hurt the gentleman to stay up there and let his physical and mental eye gaze and dwell on those magnificent mountain ranges; it might increase his stature.

Mr. MANN. I could get nothing to eat, but that was not the case with the other occupants of the bed. [Laughter.]

Mr. MARTIN of Colorado. The trouble with the gentleman from Illinois was that he was a mere tenderfoot.

Mr. MANN. I went to the best hotel in the town. However, what I was going to say was that the Secretary has recommended that in a bill of this sort instead of the locality being specifically set out where the station is to be established, it would be wiser to leave the question of the specific location to the department. As the gentleman's location is the best in the United States, he would have no reason to fear leaving it to the department. It does not seem to me wise to pass bills locating the stations specifically.

Mr. NORRIS. The department has authority under the general law to locate an experiment station, has it not? I make that inquiry of the chairman of the committee.

Mr. FOSTER. I think not now.

Mr. MANN. I am not sure that under the bill we recently passed, if it has become a law, they have authority to accept lands for an experiment station.

Mr. FOSTER. If they get an appropriation they will have authority, if the bill passes, but it has not passed yet.

Mr. MARTIN of Colorado. If the gentleman will permit me, I am not at all surprised at the probable objection of the gentleman from Illinois to this bill of my colleague, but I am somewhat surprised that any man that has ever been in the San Juan region, one of the grandest and most sublime mountain countries of the world, a country where they have great big people that live neighbors to the stars, should speak of it in the slighting way that the gentleman from Illinois has just spoken of it.

Mr. MANN. Did I not say that it was the best place in the United States for a mining experiment station? What on earth does the gentleman want me to say about it?

Mr. MARTIN of Colorado. When the gentleman from Illinois says that, I want him to mean it. [Laughter.]

Mr. MANN. I do mean it.

Mr. MARTIN of Colorado. I want him to say it in an entirely different way from what one is required to say certain things in the West. When you say to a man out there that he is a blankety blank, you must smile; but when the gentleman tells me that the San Juan country is the best place on earth for a mining station, I want the gentleman to make that statement in an entirely solemn and grave manner. [Laughter.]

Mr. MANN. It is impossible for me to look solemn and grave over a funny thing like this.

Mr. MARTIN of Colorado. Mr. Speaker, this is my colleague's bill. He is necessarily absent. He did not leave me any instructions with reference to it, but I know something about it, because I am familiar with the country myself and have been in correspondence with different interests and persons in Colorado in reference to the matter. I want to say one thing in behalf of it, as indicating the desirability of the San Juan country as a location for a mineralogical experiment station, that while Colorado itself is perhaps the greatest diversified mining area within the boundaries of any State in the Union, and that therefore it might be expected that there would be a great deal of rivalry among the different mining camps scattered all over that State, and while Silverton is perhaps the most remote from the State capital of any of them, being far to the southwest in the heart of the San Juan Mountains, yet there is, so far as I know, no opposition whatever to this bill from any other section of Colorado. Even in Denver the business bodies, the State commissioner of mines, and all the mining interests of the State, so far as I know, wherever located, are a unit in favor of establishing this mining experiment station at Silverton, because it is recognized there that they have in that place the greatest conglomeration of formations and varieties of ores and mining conditions generally necessary to such a station that perhaps can be found in any like area in the United States, if not in the world.

In addition, the following joint memorial No. 46, introduced by Senator Joyce, was, on April 28, 1911, adopted by a unanimous vote of all the members of the Legislature of the State of Colorado:

To the President and Congress of the United States,
Washington, D. C.:

We, your memorialists, the Eighteenth General Assembly of the State of Colorado, do respectfully represent:

That the mining industry of Colorado, including the mining and the reduction of pure metal of the gold, silver, lead, copper, zinc, and tungsten bearing ores, is of vital importance to the welfare of this Commonwealth, and is of very great importance to the prosperity of our Nation at large; and that this industry furnishes employment to thousands of workmen, provides a market for the products of factory and farm, supplies gold and silver for the mints, and produces the industrial

metals now indispensable to the progress of the many industries of our country;

That in mining, as in agriculture, from the very nature of the enterprise, there is and can be but very little cooperation in solving the problems of the industry; and that under the existing conditions a very large percentage of the metals contained in the crude ore, especially in the lead, zinc, and copper-bearing ores, is lost in the course of milling, or is sacrificed in attempting to ship the low-grade ore to distant smelters and in smelting that ore containing a big proportion of silica or other refractory and useless material; that the heavy percentage of loss of these metals experienced by the miners under existing methods of milling and ore dressing not only injuriously affects the mining industry itself, but constitutes a substantial and irretrievable loss out of the natural resources of our Nation; and the conservation of the metal wealth of our country must be accomplished, not by preventing the use of that metal, but by preventing its loss and waste;

That the Department of Agriculture of the United States has fully proven the efficiency of local or field experiment stations in solving the many problems of the farming industry, and there is every reason to believe that similar good results may be achieved by the same system of solving the problems of the mining industry;

That the San Juan mining region of Colorado, covering, as it does, a broad expanse of mineral territory, and including almost every known combination of gold, silver, lead, copper, zinc, iron, and tungsten bearing ores, as well as vanadium and uranium and other rare metals, and holding large deposits of low-grade refractory ores, is a most favorable place for the location of a Government experiment station:

Therefore, we, our memorialists, do respectfully and earnestly request and petition that the National Bureau of Mines and Mining may be allowed such funds as may be necessary for that purpose, and may be authorized and empowered to establish and maintain at Silverton, in the center of the San Juan mineral territory, a local mining experiment station, to be conducted under the charge of skilled chemists and metallurgists, and at which all metalliferous ores may be analyzed, and at which all known processes of ore treatment may be applied, tested, and compared, and at which new methods and processes may be developed and perfected—all to the end of improving the methods and conditions of the mining industry, and saving from waste and conserving the metal resources of our country.

Mr. LONGWORTH. How many stations are there?

Mr. MARTIN of Colorado. We have not any of these stations, I will say to the gentleman.

Mr. FOSTER. There are none of them.

Mr. MARTIN of Colorado. But under the act providing for the Bureau of Mines, as originally passed, the Bureau of Mines has been carrying on coal-mining experiments, and they have established some experiment stations. I am not exactly familiar with the character of these, but what we desire is to carry on this experiment work in the precious-metal mining, as well as in coal mining. I will say further to the gentleman that I do not believe there is any more beneficial line of work possible to be encouraged by the Government at this time than that of precious-metal mining. Every man who lives in the mining regions knows that the mining industry is languishing, and yet it is a necessary industry. It is absolutely essential to the higest prosperity and development of this country that precious-metal mining shall keep pace with all other industries. We must have these metals. It is pathetic to-day to go up into some of the mining camps of the Rocky Mountains. Talk about your deserted villages! Some of them are practically graveyards. Go up there and contrast the mining camps of the Rocky Mountains to-day with our towns down in the mountain valleys—I do not care where you go. Yes; in Colorado to-day, which is considered the mecca of mining, Colorado, which is known the world over because of the bonanza princes it has produced, men who have come even to Washington and put up some of its most magnificent buildings from the products of these mines, you will find a deplorable condition. And it is the same in every mining State. Go to them and see those deserted, languishing camps and compare them with their farming villages. The greatest prosperity of Colorado to-day is in its farms and not in its mines. People out there in the Rocky Mountains talk land and water to you and not mining. I say, therefore, that this industry is languishing and needs all of the Federal encouragement it can get.

Mr. NORRIS. Mr. Speaker, I desire to ask the gentleman from Illinois, the chairman of the Mining Committee, about this particular bill. Can the gentleman inform the House whether it has been passed on by the officials of the Bureau of Mines, or has it been referred to them?

Mr. FOSTER. Yes.

Mr. NORRIS. Does the Secretary recommend its passage?

Mr. FOSTER. Yes.

Mr. NORRIS. What action does the department take in regard to these bills? Is there any understanding as to how many of these experiment stations we are going to have?

Mr. MANN. Oh, if the gentleman will permit me to answer, I doubt if it were possible to introduce enough bills to get the department to refuse to send the same recommendation in each case.

Mr. FOSTER. Mr. Speaker, I will say they need more than one.

Mr. NORRIS. I presume they do, but I am trying to find out whether the department has made an investigation with a view of ascertaining how many they ought to have and where they ought to be. There is no doubt that if we started out to put an experiment station wherever there are prospects of a mine or the development of some mineral, we will have two or three hundred in each State, and we will have the country covered with these stations. There ought to be some system.

Mr. FOSTER. Mr. Speaker, I do not think that the question of just how many might be profitably established has ever been looked into and determined by the department. The department approves this and thinks that the purpose of the bill is one that is good. They give their approval to the bill.

Mr. NORRIS. What do they say with reference to the location, if anything?

Mr. FOSTER. They say, with reference to the location, that they do not believe it wise to state specifically that it ought to be located at any one particular place, but if it is located in the State of Colorado, to leave it to the department to determine the particular place.

Mr. NORRIS. Why is not that a good suggestion?

Mr. FOSTER. The gentleman may be right about that.

Mr. NORRIS. You can take any mining locality in the United States and you could show it would be a good place for a mining experiment station. I presume that would be true of any locality.

Mr. FOSTER. I will say to the gentleman from Nebraska that this particular place has the approval of the Legislature of Colorado and seems to be satisfactory to all of the people of Colorado, so far as we are able to determine.

Mr. NORRIS. Mr. Speaker, I would like to ask the gentleman whether his committee has given the subject sufficient consideration, or if he has made investigation enough so that he can give the House an idea as to what the policy of the bureau is going to be with reference to the location of experiment stations, whether the committee could not report to us a general bill that would cover the subject entirely and give to the department, perhaps under such rules and limitations as might be provided in the law, the right to establish experiment stations.

Mr. FOSTER. Well, now, if the gentleman will call to mind that in the West, Colorado, Utah, Wyoming, Montana, California, and Nevada and those States which are looked upon as metal-mining States, not only metal mining, but they have a great deal of other minerals, such as coal, oil, gas, and those products which come from the earth, an experiment station possibly could be profitably located in every one of those States.

Mr. NORRIS. Possibly that is true, but you can not maintain an experimental station at every mine; you must limit it.

Mr. FOSTER. Oh, you can not take up every mine in any one State or two States; that is absurd.

Mr. LONGWORTH. If the gentleman will permit, under the law is there any power to establish experiment stations?

Mr. FOSTER. No, sir.

Mr. UNDERWOOD. Then it must be done in every case by act of Congress such as in this case.

Mr. FOSTER. It must be by act of Congress; that is, under the present law. We passed a law through the House which is over in the Senate, which I hope will pass before Congress adjourns, which would, if they had the proper appropriations, enable the department to establish such experiment stations.

Mr. LONGWORTH. Does the gentleman think that a uniform law under these circumstances would be better instead of asking Congress to act on each particular project when it comes up?

Mr. FOSTER. That may be true, and yet we have established experiment stations of various kinds, fish-culture stations, and so forth.

Mr. NORRIS. While that is true, the gentleman must remember in the end when we pursue that course we get into a position that we did in regard to the Pension Office. For instance, the pension agencies were established until finally we abolished all of them, and we did it after a fight of five or six years. You can establish these things, but never without a heavy fight and a good healthy public conscience behind it, which always takes years to bring about, do you manage to do away with them. If you once put them in, you always have them.

Mr. FOSTER. I will say to the gentleman from Nebraska this is the first time I remember its coming up in reference to establishing a mining experimental station at Silverton, Colo., and it seems to me, so far as the committee was concerned, to have a great deal of merit.

Mr. LONGWORTH. May I ask the gentleman how many of these projects have been favorably reported upon by the committee?

Mr. FOSTER. Four.

Mr. LONGWORTH. And this is the initiation of that policy?

Mr. FOSTER. Yes, sir. It is not expected there will be more than one of these experimental stations in a State.

Mr. LONGWORTH. Where are those?

Mr. FOSTER. One in Utah, one in Montana, and one in California.

Mr. LONGWORTH. And there is no reason suggested to the judgment of the committee why there should not be 10 or 20 in a State?

Mr. FOSTER. It is not likely they would do that.

Mr. MARTIN of Colorado. I would like to make a suggestion here, to pursue the line of argument followed by the gentleman from Nebraska and the gentleman from Ohio. I would like to say first that if it would help this proposition to eliminate Silverton as a specific location and just leave the Bureau of Mines discretion to establish a station anywhere in Colorado it saw fit, I would have no objection so long as an experiment station would be established in Colorado, and I would be glad to assume the responsibility of agreeing to such an amendment. Now, pursuing this line a little further, I believe there are substantial reasons why Colorado ought to be favored, if you wish to use that term, above all other States in the establishment of such a plant. I do not want to take up the time of the House to launch out into such an argument and give these reasons now on unanimous-consent day.

Mr. MANN. I would like to ask the gentleman one question, or two questions. Colorado is the leading State in the Union now in the production of metalliferous minerals?

Mr. MARTIN of Colorado. Yes, sir.

Mr. MANN. I do not remember just where the gentleman states that the State of Colorado had its own experiment station.

Mr. MARTIN of Colorado. Colorado has a State school of mines which is an institution of national repute.

Mr. MANN. I thought the gentleman said the State had a mine experimental station.

Mr. MARTIN of Colorado. No, sir; they have a State school of mines.

Mr. MANN. It is the leading metalliferous State in the Union. Now, does not the gentleman think that Colorado ought to do something?

Mr. MARTIN of Colorado. I call to the attention of the gentleman from Illinois this fact, that it is not a local industry. The gentleman knows that just one product of that industry in Colorado furnished this country with a paramount political issue for a good many years.

Mr. MANN. It is a great deal more of a local industry than the making of steel rails in my State.

Mr. MONDELL. You have a school of mines in Colorado, one of the best, which I understand ranks with any such institution in the world.

Mr. MANN. But you have not a mining experiment station in connection with that school.

Mr. MARTIN of Colorado. There are extensive and most valuable mining experiments carried on in connection with the school, which is maintained by the State.

Mr. MANN. That is the place for it instead of the Government providing a lot of experiment stations all over the country, such as the running of agriculture experiment stations in the country.

Mr. MARTIN of Colorado. The gentleman will notice that it is not alone the question of metal mining, the precious metals, and so forth, that it furnishes the country and the world, but there is the mining of coal and other products.

Mr. MANN. Oh, well, it is not a question of charity; we are no eleemosynary institution.

Mr. MARTIN of Colorado. It is not a question of charity, but a question of national economy. I think gentlemen who are not particularly familiar with the facts know in a general way that the bonanza days are gone, that the days of the prospectors are gone, that mining has become much harder and a more expensive business than it was formerly. It is a matter of deep mining that requires a lot of capital, and it is a question of scientific methods if you want to extract the values from the low-grade ores, and that condition is what has brought about the necessity of a mining experimental station, for the experimental application of every method of treatment which will revive and stimulate this basic industry and enable people to continue in it with profit.

I think gentlemen know generally, notwithstanding its prime importance to the prosperity of the country, that there is not as languishing an industry to-day as that of the mining of precious metals. Colorado, it is true, as has been said, is the leading precious-metal mining State in the Union, but no State in the Union, I wish to say to the gentleman, has suffered so greatly by reason of the action of the Government or by reason of Federal legislation as the State of Colorado. It is only 19 years since her greatest precious-metal industry was absolutely stricken down, her mines closed, filled with water, and turned over to bats and owls, and the greatest silver camps in the world were completely wiped out. This is a consideration that might be pleaded as against the claims of any other State for an experiment station.

Mr. MANN. I love to hear my friend talk, but I believe I shall have to object to the consideration of the bill.

The SPEAKER pro tempore (Mr. FLOOD of Virginia). The gentleman from Illinois [Mr. MANN] objects.

Mr. MARTIN of Colorado. I append to my remarks the following resolutions of the Silverton Commercial Club:

OFFICE OF THE SILVERTON COMMERCIAL CLUB,
Silverton, Colo., May 22, 1911.

Representative JOHN A. MARTIN,
Washington, D. C.

DEAR SIR: The Silverton Commercial Club, including in its membership nearly all of the business and mining men of San Juan County, would ask for your personal assistance in the matter of procuring the National Government, through its Bureau of Mining, to establish at once a mining experimental station at Silverton, Colo.

The last General Assembly of the State of Colorado adopted by unanimous vote a joint memorial to the President and Congress asking the establishment of this station. We inclose a copy of that memorial for your consideration and assistance. It is hardly necessary to call your attention to the importance of the mining industry to Colorado and the Nation at large; but we do desire to emphasize the urgent need for Government aid in solving the problems of this industry. Out of every $100,000,000 worth of crude ore extracted from the mines of Colorado it is safe to say that from thirty to forty million dollars worth of the metals are irretrievably lost. In the low-grade mines (which constitute the permanent mining industry) from 30 to 40 per cent of the crude lead, zinc, copper, gold, and silver is lost in the process of ore treatment and reduction. Where the timber of a country is destroyed, it may be regrown in a limited number of years; but the metals lost in the process of reduction, returning as they do to earth and river bottom, are lost to our industries for all time.

These problems can be solved only by actual experimentation in the field, at the place where the problems exist. Silverton is situated in the center of the great San Juan mineral district and is undoubtedly the best place in the West for actual tests and experimentation. All kinds and combinations of ore are to be found in abundant quantities. Electric power is cheap and abundant. The coal fields are near by to the south. The town itself, surrounded as it is by the mines, has every convenience of the modern city; and from this point four railways extend to important mining districts. And this San Juan section, more than any other part of the West, has need of a scientific experimental station. It is a country by itself; broad in extent, capable of great and permanent production of metals, but holding many varieties of refractory ores which try the skill of milliman and metallurgist. This place was selected in the memorial of the Colorado General Assembly not only because it most needs the help of the national bureau, but because here the broadest opportunity for successful field work is presented.

We would ask your earnest and personal assistance in procuring the establishment of this mining experimental station. It will require an appropriation by Congress, which ought to be a fund of at least $100,000 to establish and equip the station and $25,000 per year for maintenance and operation. The plant will naturally demand the services of skilled metallurgists, able to do efficient work, and employed to give their whole time. And the station should not be limited to narrow bounds of experiment, but should be enabled to procure and test any process and every mechanical device that will save the metals.

And if the National Government, by means of such a limited investment, can substantially increase the saving of the precious and industrial metals, it will not only improve the condition of a great national industry but will accomplish a great conservation of the natural wealth of our country.

We would ask you to give every assistance within your power to procure the introduction and passage of a proper appropriation bill at the present session of Congress and to prevail upon the national Mining Bureau to establish the station this year.

Very respectfully, yours,

THE SILVERTON COMMERCIAL CLUB,
By W. N. SEARCY, *President.*
WARREN C. PROSSER, *Secretary.*
B. B. ALLEN,
J. A. MCCRIMMON,
JOSIAH WATSON,
A. W. HARRISON,
Directors.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Denver public-building bill and the Silverton bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PATENTS TO PUBLIC LANDS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23238) to authorize the issuance of absolute and unqualified patents to public lands in certain cases.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, in cases where patents for public lands have been issued to entrymen under the provisions of the acts of Congress approved March 3, 1909, and June 22, 1910, reserving to the United States all coal deposits therein, and lands so patented are subsequently classified as noncoal in character, to issue new or supplemental patents to such entrymen, conveying to them the absolute and unqualified title to the lands so previously entered, patented, and thereafter classified as noncoal.

Mr. MANN. Mr. Speaker, reserving the right to object, as I understand this bill, a year or so ago we passed a law authorizing agricultural entries upon land which had been reserved for mineral purposes and gave to homestead entrymen or others patent reserving coal deposits under the surface, and so forth. This bill now proposes if the department at any time takes this land out from under the withdrawal on the assumption that

it does not have coal, the patentee shall get a patent with a complete title.

I see no occasion for changing the provisions of the law on that subject, but I would be glad to get some information from my distinguished and genial colleague from Colorado [Mr. MARTIN].

Mr. MARTIN of Colorado. Mr. Speaker, I am sorry I did not know these bills were on the calendar and that they were coming up for consideration. This bill, like the one that has just been objected off the calendar, was drawn and reported to the House from the Committee on the Public Lands by my colleague [Mr. TAYLOR], who is now necessarily in Colorado. I can say in behalf of this bill, and I can say it in behalf of every bill that Mr. TAYLOR has reported to this House from the Public Lands Committee, that I believe he is a man who is thoroughly informed and absolutely trustworthy.

Mr. MANN. We all believe that.

Mr. MARTIN of Colorado. He would not knowingly report to this House any measure touching the public domain and its resources jeopardizing the rights of the Government or of the people. I believe that he would be a conservationist in the true sense of the word. I have never read his bill or the report upon it. It was shown to me first by the gentleman from Illinois [Mr. MANN], who has it on his desk, where he has all of the bills every day, as I think all gentlemen know who have any interest in legislation. But I am somewhat familiar with the subject matter of this bill.

Now, it has always been the proud boast that an Englishman's home was his castle, and we have inherited that boast from the Briton, but it was a part of that boast that he owned the land under that castle from the center of the earth to the highest heavens. But these conservation doctrines that have been imported from Austria, Germany, Russia, and other ultramonarchical countries, have changed all that, and now the entryman gets only a surface title to the land. The Government reserves everything beneath the soil in the way of mineral, oil, phosphate, and that sort of thing, and gives a vitiated surface title.

Now, if there is any one thing about which people are naturally hesitant, it is to take title to land which may be at any time entered by others, as has been the case with these coal lands. It is a thing that has hurt the West, for the entrymen frequently can not borrow money on these surface titles. Men do not want to loan money on surface titles. Men want to loan money on a fee simple. And you can explain until you are black in the face that the Government does it merely as a precaution; that it is a good title; but the money loaner asks, "Why have you not a fee-simple title to you land?" There is not a man within the hearing of my voice, and if there is I challenge him to get up on the floor and say so, that would buy one of these surface titles as long as there was any other kind of land that he could get. Would you, or you, or you? Would any gentleman get up on this floor and say he would take a surface title to land when he could get a fee simple? I put a practical question to you, but it is only one of many practical questions involved in this conservation theory, and which accounts for the retardation of the development of the West, and which accounts for the fact that the tide of emigration flows over this land into Canada and is one of the reasons why the House has passed a three-year homestead bill and why it will pass other legislation liberalizing the land laws before you get those lands settled up.

Now, what is this bill? Here is a bill that provides that where lands have been withdrawn as coal lands and the entryman has been required to take a surface title and it has been afterwards finally determined by the Government, through its Geological Survey, that there is no coal beneath this land, then, in that case, a fee-simple title shall issue to the entryman. Great heavens! What more do you want.

The Geological Survey has decided that lands are coal lands in character where it was estimated, where it was guessed at, that 3,000 feet beneath the surface there was a vein of coal 14 inches thick. Now, when they figure a proposition down that fine, when they characterize and classify land as coal land which is guessed to contain a 14-inch coal vein 3,000 feet down, it seems to me you can safely trust the Government in determining what this land is, and therefore there would not be very many settlers in danger of getting a fee-simple title to a rich coal mine.

I regret that I have not the time to-day to branch out on this proposition. There has not been a unanimous-consent day or a Calendar Wednesday this session in which we have not had conservation from breakfast until supper. Every little homestead bill and every little land bill prompts gentlemen to flock in here with ears pricked up, while they would go to sleep on a bill appropriating a hundred million dollars. I have not taken the time of the House on this subject heretofore, by reason of the fact that I have been considered an irreclaimable radical in regard to this matter. There are millions of acres of land that have been withdrawn on mere guesswork—whole counties and sections of the State—in the first flush of this conservation movement. The kind of conservation I have heard here is, nine-tenths of it, nothing but suspicion and speculation. They could not talk concrete facts because they do not know any concrete facts.

I say they have withdrawn whole areas because they allege there is coal under them and then have restored them because they have found there is no coal under them. Now it is provided here that where these lands are restored the entryman shall get a fee simple title to his land. In other words, he gets an American title to his land—the only kind of a title that is worth having and the only kind I would put my money in, even if I was worth millions of dollars. I would say, "Gentlemen, I do not want to buy lawsuits and suits for trespass and a lifetime of legal controversies. I want an indisputable title, and if you can not furnish that, then I will go where I can get it." That is what the West is up against in reference to all this legislation.

But, Mr. Speaker, this would be a fairer proposition. The gentleman from Illinois has reserved the right to object to this bill. I would thank the gentleman from Illinois for his attention now. This would be a fairer proposition—that, instead of my consuming the time of this House arguing why this bill ought to pass, the gentleman from Illinois [Mr. MANN] ought to consume the time in convincing the House why it should not pass.

Mr. MANN. It would not take me so long.

Mr. MARTIN of Colorado. The presumption of good faith is with this legislation, and the burden should be on the gentleman to show why this land should not be liberated in the manner we have asked that it be liberated. Nearly 10,000,000 acres of public lands was reserved in Colorado alone as coal lands. Just think of it! That is more than the area of some of the New England States. But there is coal only under small portions of that land. They have withdrawn areas in one tract as big as one of these little New England States. At the time that we passed the bill permitting agricultural entries on coal land, just two years ago, at which time the coal conservation policy had been in effect four or five years, I sent down to the Commissioner of the General Land Office for a statement of all lands which had been withdrawn, classified, sold, and otherwise dealt with in reference to coal. He sent me back a statement showing that out of nine and a quarter million acres withdrawn in the State of Colorado for a period of four or five years he had actually sold only 90 acres of that withdrawn land.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Mr. Speaker, I do not want to interrupt the gentleman in the midst of an interesting speech, but this is the last day for the consideration of the Unanimous Consent Calendar. I do not want to object to the gentleman's bill, because I am not opposed to it; but I want to say that unless the gentleman will limit his remarks I shall be compelled to object.

Mr. MANN. The gentleman is not fair to me. I yielded him five minutes, and, after he has been talking longer, he turns around and abuses me. I object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects.

Mr. MARTIN of Colorado. Mr. Speaker, I am astonished. [Laughter.] That is the first time I have heard the gentleman from Illinois object to a unanimous consent since I have been in Congress. That shows how ungenerous the gentleman can be.

Mr. MANN. The gentleman did not know that the bill was pending until I called his attention to it.

The SPEAKER pro tempore. The Clerk will report the next bill.

PUBLIC BUILDING, RICHFORD, VT.

The next business on the Calendar for Unanimous Consent was the bill (S. 6899) increasing the limit of cost for the erection and completion of a public building in the city of Richford, State of Vermont.

The Clerk read the bill, as follows:

Be it enacted, etc., That the limit of cost for a public building in the city of Richford, State of Vermont, authorized under section 4 of the act of May 30, 1908, be, and the same hereby is, increased from $60,000 to $74,000, and that the sum of $14,000 to provide for such increased cost be, and the same hereby is, appropriated.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to have a statement in reference to this bill, as to what is the necessity for increasing the limit of cost of the

public building at Richford, Vt., from $60,000 to $74,000, and appropriating $14,000.

Mr. UNDERWOOD. What number is that on the calendar?

Mr. MANN. I do not know what number it is on the calendar. Does the gentleman from Vermont [Mr. GREENE] desire to make a statement in regard to it?

Mr. GREENE of Vermont. Mr. Speaker, the chairman of the committee in charge of the bill is not present.

Mr. MANN. Is the gentleman from Vermont familiar with the situation there?

Mr. GREENE of Vermont. I live near the town.

Mr. MANN. What is the situation there?

Mr. GREENE of Vermont. The situation, briefly, is this: When the bill was passed and the appropriation made, the work of excavation was begun, and they struck a rock. Now, the proposition is, if they can not go any farther down, they must have the approach to the building 15 steps, which is higher than was intended. If they can excavate the rock, it will be put at the normal and proper height. It was the physical conditions which could not be foreseen when the estimates were made that is the reason for this increase.

Mr. MANN. The reason for the additional cost is the rock excavation which was not contemplated?

Mr. GREENE of Vermont. Exactly that.

Mr. FOSTER. Mr. Speaker, reserving the right to object, this increase in the limit of cost of $14,000 does not appear to me to be necessary. What is the reason that the gentleman from Vermont gives for increasing the amount of money?

Mr. GREENE of Vermont. I will say that this bill arrived at its present legislative stage before I arrived at mine, and I am not so familiar with all the details as I might otherwise be. It is a simple question. When the estimates were made the physical conditions underlying the surface of the earth could not be determined, and when they got down so far they found this rock. I have seen the conditions as they are described in the committee report, and I know the report is true. It undoubtedly is a public nuisance now.

Mr. FOSTER. In excavating for a foundation for the basement, as I understand the gentleman, they came to this rock?

Mr. GREENE of Vermont. Yes.

Mr. FOSTER. It looks to me, from what the report says, that they must have got quite a hole in the ground there now by the fact that the people are complaining of the great amount of water that is held in there. I do not myself see a reason why they should go through.

Mr. GREENE of Vermont. It amounts to a question of the change of level.

Mr. MANN. The excavation has been made, I will say to the gentleman from Illinois, but they did not contemplate the cost of the rock excavation.

Mr. FOSTER. It seems to me that the department, when it found these conditions, in place of coming back for more money should have changed it so that they would not have had to come back and call for an increase in the amount appropriated. It will say that there are many buildings planned where they come back, for one reason and another, and I think when Congress has given the amount or limit of cost of the building the Treasury Department should understand that they are to build the building for that cost and, unless there are some unusual conditions, it will not be increased. I do not think that the bill ought to pass.

Mr. GREENE of Vermont. I will say to the gentleman that these are unusual conditions. This is a post office, and if we have to change the level they will have to raise it up so that it will take 15 steps to reach it, and it will be daily visited by hundreds of men, women, and children. They can not go down any farther with the work because they have not the money.

Mr. FOSTER. How deep is the basement?

Mr. GREENE of Vermont. I can not tell the gentleman.

Mr. FOSTER. I think, Mr. Speaker, that we ought to have all the information possible, and I will object.

Mr. GREENE of Vermont. Mr. Speaker, I ask that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Vermont asks that the bill be passed over without prejudice. Is there objection?

There was no objection.

TIMBERLANDS OF THE CHOCTAW AND CHICKASAW INDIANS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4753) to amend an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906 (34 Stat. L., 137).

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell, upon such terms and conditions, under such regulations, and in such tracts as he shall deem advisable, the land and timber, together or separately, reserved from allotment under the provisions of section 7 of the act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes," approved April 26, 1906 (34 Stat. L., 137).

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The bill is on the Union Calendar.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

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

On motion of Mr. CARTER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

MINING EXPERIMENT STATION, AUBURN, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22080) to establish a mining experiment station at Auburn, Placer County, Cal., to aid in the development in mineral resources of the United States, and to undertake any investigation or operation for the health and safety of persons employed in mining, quarrying, metallurgical, and other mineral industries, and for other purposes.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object——

Mr. RAKER. I want to call the gentleman's attention to the fact that the Department of the Interior and the Bureau of Mines have reported favorably on this bill. They have suggested that it be not fixed at any particular place. Now, while I would like to see it located in the center of the mining district—California—I see no special objection because of the great benefit it would be to the mining interests of California, as well as in Nevada and southern Oregon, to leave it to be fixed at such a place as the Secretary of the Interior, under the advice of the Bureau of Mines, shall determine, if that would insure the passage of this bill, because I am very anxious to have this bill become a law. One can not help but marvel when he looks over the statistics of the mineral wealth that has been produced in California, Nevada, and southern Oregon, to see how little in the last few years has been done in behalf of the mining interests. We want more attention paid to mining interests of the West. We want to go right into these mining localities and get all out of the earth that can be done. No better investment could be made by the General Government than the work proposed by this bill.

Mr. MANN. Where does the gentleman say the State has its mining experiment station?

Mr. RAKER. The State has no mining experiment station.

Mr. MANN. With its enormous mineral wealth, why does it not have one?

Mr. RAKER. I suppose you might answer the same as in regard to agricultural matters. We are spending this year $60,000,000 for agriculture.

Mr. MANN. Who is expending it?

Mr. RAKER. The Government is expending it, or in the neighborhood of that.

Mr. MANN. Oh, the gentleman is way off.

Mr. RAKER. I have the statistics that were filed and put in the RECORD this morning, prepared by a gentleman who has knowledge of the fact.

Mr. MANN. The gentleman who has the knowledge is way off.

Mr. RAKER. I am speaking of the entire matter, over the United States.

Mr. MANN. Out of the General Government?

Mr. RAKER. Not alone.

Mr. MANN. No; it does not amount to twenty million. Mr. Speaker, I object.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend as part of my remarks the resolution passed by the mining congress held at Yreka, Cal., and the report on this bill.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

[House Report No. 583, Sixty-second Congress, second session.]

MINING EXPERIMENT STATION, AUBURN, CAL.

Mr. FOSTER, from the Committee on Mines and Mining, submitted the following report, to accompany H. R. 22080:

The Committee on Mines and Mining, to whom was referred the bill (H. R. 22080) to establish a mining experiment station at Auburn,

Placer County, Cal., to aid in the development of mineral resources of the United States, and to undertake any investigation or operation for the health and safety of persons employed in mining, quarrying, metallurgical, and other mineral industries, and for other purposes, having had the same under consideration, respectfully recommend that it do pass.

This bill is a substitute for H. R. 17033, which was introduced for identically the same purpose.

The bill is as follows:

"[H. R. 22080, Sixty-second Congress, second session.]

"A bill to establish a mining experiment station at Auburn, Placer County, Cal., to aid in the development of the mineral resources of the United States, and for other purposes.

"*Be it enacted, etc.*, That there be, and is hereby, established at Auburn, Placer County, Cal., a mining experiment station which shall be under the supervision, management, and control of the Bureau of Mines.

"SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to appoint as the superintendent of said mining experiment station one expert mining and metallurgical engineer, at a salary of $4,000 per annum; one chemist, at a salary of $2,500 per annum; and such other employees as he may deem necessary to carry out the provisions of this act; and for the purpose of inaugurating and maintaining the said mining experiment station, including the payment of salaries, purchase of equipment, supplies, expenses of travel, payment of rent, and other expenses of every sort incident thereto the Secretary of the Interior is authorized to expend annually a sum not exceeding $25,000.

"SEC. 3. That it shall be the province and duty of said mining experiment station, under the direction of the Bureau of Mines, to conduct inquiries and scientific investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances, with a view to improving health conditions, increasing safety, efficiency, economic development, and the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries, and as will facilitate the proper and efficient development of the resources of the public domain, and to disseminate information concerning these subjects in such manner as will best carry out the purposes of this act.

"SEC. 4. That nothing in this act shall be construed as authorizing the Bureau of Mines, or any employee of said bureau engaged in the work herein provided for, to undertake any investigation or operation in behalf of any private party, except for the health and safety of persons employed in the mining, quarrying, metallurgical, and other mineral industries; nor shall any of the regular employees of said bureau engaged in such investigations have any personal or private interest in any mine or the products of any mine under investigation."

This bill is introduced for the benefit of the mining interests of California and the Government generally, and to look after the health and safety of the miners. The Sacramento Valley Development Association at a meeting held at Sacramento, Cal., on February 17, 1912, memorialized Congress upon this subject as follows:

Whereas House of Representatives bill No. 17033, introduced by Hon. JOHN E. RAKER, entitled "A bill to establish a mining experiment station at Auburn, Placer County, Cal., to aid in the development of the mineral resources of the United States"; and

Whereas California leads all other States in the value of its mineral products, which for the year 1909 amounted to approximately $83,000,000, in 1910 $88,000,000, and in 1911 $90,000,000; and

Whereas the proposed experiment station is in nowise a local matter, but is calculated to develop and improve the mining industry of the entire country and provide a greatly needed and exceedingly important educational opportunity to all persons interested in the mineral industries; and

Whereas Auburn, Placer County, is centrally located with reference to the great mining districts of the Pacific coast and very close to the city there are extensive deposits, including gold (quartz and gravel), ores of copper, iron, manganese, anomite and silver, galena and bismuth, and other minerals, such as granite, limestone, porphyry, marble, steatite, magnesite, borytasper, sciemite, asbestos, talc, kaolin, pottery clay, ocher, and quartz suitable for the manufacture of glass: Therefore be it

Resolved, That the Sacramento Valley Development Association, in regular meeting assembled, this 17th day of February, 1912, does indorse said House bill No. 17033 and urges upon Congress the adoption of this bill as a matter of rendering material assistance to one of the greatest of the country's industries.

The above resolution was unanimously adopted at the regular monthly meeting of the Sacramento Valley Development Association held February 17, 1912.

O. H. MILLER, *Secretary.*

The Nevada City Chamber of Commerce, of Nevada City, Cal., have memorialized Congress upon this subject, as follows:

MARCH 31, 1912.

Hon. JOHN E. RAKER,
House of Representatives, Washington, D. C.

DEAR SIR: At a recent meeting of this organization it was brought to the notice of the members that through your good offices a large quantity of valuable publications are being received and placed on the shelves of the headquarters. This matter shows a discriminating appreciation of the needs of this locality and your interest in our welfare. We also note with pleasure that the bill introduced by you for the establishment of a mining laboratory at Auburn, in our neighboring county, has been changed to eliminate the possibility of interfering with the business of our assayers, and in its present form has our complete support. In accordance with a motion at to-day's meeting, a vote of thanks was passed to you for your good work, and this letter is to inform you of the said action.

Trusting that you may continue to be successful in your efforts for the people of your district, we remain,

Very sincerely, yours,

NEVADA CITY CHAMBER OF COMMERCE.
W. W. WAGGONER, *President.*
GEO. B. FINNEGAN, *Secretary.*

The Auburn Chamber of Commerce have memorialized Congress upon this subject, as follows:

AUBURN CHAMBER OF COMMERCE,
Auburn, Cal., February 7, 1912.

Whereas a bill entitled "A bill to establish a mining experiment station at Auburn, Placer County, Cal., to aid in the development of the mineral resources of the United States, and for other purposes" (H. R. 10733), has been introduced in the House of Representatives at Washington; and

Whereas the mineral production of California for the year 1909 amounted, in round numbers, to $83,000,000; in 1910, $88,400,000; and to upward of ninety millions in 1911; and

Whereas the mountains and valleys of Placer County contain an immense amount of mineral wealth, including gold both in quartz and gravel, ores of copper, manganese, tungsten, chromium, and silver (in the Ophir mining district, close to Auburn), galena, bismuth, and other minerals, such as granite, limestone, porphyry, marble, steatite, magnesite, baryta, spar, selenite, asbestos, talc, kaolin, pottery clay, ocher, and glass sand; and

Whereas Placer County is lately reported by the Census Bureau as being the second county in the United States in the number of producing gold mines, Siskiyou County, Cal., being first; and

Whereas Auburn is on the main line of the Southern Pacific, 126 miles from San Francisco, 657 miles from Los Angeles, and 868 miles from Seattle, thus being easy of access from east, west, and south and as centrally located with reference to the great mining districts of the country as is practically possible; and

Whereas the project is in no way sectional, but calculated to develop the mining industry of the Whole Pacific slope and of the entire country; and

Whereas such a station would provide an important educational opportunity for the young men of California and be the means of recruiting a trained force of men to develop the wealth of the country: Therefore be it

Resolved, That the Auburn Chamber of Commerce cordially indorses the said bill and urges upon Congress its adoption, and we also recommend other chambers of commerce and business organizations of the Pacific slope to take similar action; and be it further

Resolved, That copies of this resolution be sent to our Representatives in Congress and to kindred organizations on the coast.

Adopted.

JOHN T. BRAMHALL, *Secretary.*

The San Francisco Call, of California, of date February 19, 1912, speaking editorially upon this subject, says:

"NEED OF A SCHOOL FOR MINING PROSPECTORS.

"A mining experiment station for California would be a useful and valuable help for the promotion of this great industry, and in that view Representative RAKER has introduced a bill in Congress for the establishment in Placer County of an institution or this character.

"The Government has always been neglectful of this industry and was with difficulty persuaded to create a Bureau of Mines. Millions are spent annually on the Government Agricultural Department, and we believe this money is profitably used for the common good, but little or nothing is done by national agency to encourage or assist mining. The production of minerals, gold, oil, copper, and other products is one of California's leading industries, and it is properly the subject of scientific examinations and investigations for the ascertainment of the best and safest methods. It is an extremely hazardous trade and hitherto this aspect of the industry has been little regarded.

"There is besides a wide field for metallurgical and petrological inquiry. The mountains of California have been explored in a hazardous way by gold seekers, and sometimes they have stumbled on other valuable minerals, but usually by accident.

"The fact is that we do not yet know the full metallurgical potentialities of the California mining region, and it is likely that a school for prospectors would bring valuable and unexpected results."

The American Mining Congress, which is composed of the most able and representative mining men of the West, at its recent annual meeting in the city of Chicago unanimously passed the following resolution:

"Whereas the development of processes of ore treatment capable of handling with profit the vast low-grade deposits and mine dumps of our mining districts is of the greatest importance to the mining industry and to all related industries:

"*Be it resolved*, That it be the sense of the American Mining Congress that the Congress of the United States be, and is hereby, memorialized to provide for the establishment, under the direction of the Bureau of Mines, of a metallurgical experiment ore-testing station or stations for the purpose of devising methods for the extraction of metals from low-grade ores and appropriate sufficient funds for such purpose.

"*Resolved further*, That the officers of the American Mining Congress draft a suitable bill providing for the proper carrying out of this resolution, and that copies of the bill and of this resolution be forwarded to the President of the United States and each Senator and Representative; and that the officers of the American Mining Congress use all honorable means to the end that such a bill may become a law, in view of the increasing importance and complexity of the mining and metallurgical industries, the deplorable waste in mining under present methods, and the great need of trained men to aid in improving these conditions and in developing greater safety and efficiency.

"*Be it resolved*, That the American Mining Congress, now in session at Chicago, urges the Congress of the United States at Washington to provide for aid and cooperation in the maintenance of mining schools in the several States in a manner analogous to that which has been done in behalf of agriculture.

"*Be it resolved*, That the members of the American Mining Congress and the friends of the mining industry throughout the country are hereby urged to cooperate in securing the proper legislation necessary to carry above purpose into effect."

There are many other organizations of business men throughout the West that are and have for some years past been very urgently appealing to Congress for relief in the manner provided by this bill. It should be remembered that while the National Bureau of Mines is doing a splendid work in its limited field and in a limited way, yet its energies are thus far practically entirely devoted to coal-mining industries. There has been no recognition thus far of the metalliferous mining industries of the West, and it is believed that that industry is entitled to consideration by the Government.

This bill was referred to the Department of the Interior for consideration, and the report of the Secretary of the Interior thereon is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 1, 1912.

Hon. MARTIN D. FOSTER,
Chairman Committee on Mines and Mining,
House of Representatives.

DEAR SIR: Replying to your letter of March 21, asking for my opinion on House bills 22080, 22081, and 22088, relative to the establishment of mining experiment stations in the States of California, Colorado, and Utah:

The purpose of these bills is to provide for "inquiries and scientific investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances, with a view to improving health conditions, increasing safety, efficiency, economic development, and the prevention of waste in the mining, quarrying, metal-

lurgical, and other mineral industries, and as will facilitate the proper and efficient development of the resources of the public domain."

This purpose and the main features of these bills meet with my approval.

Such investigations will be helpful in the development of mining on the public lands of each of the States, both within and without the national forest reserves; and the necessary expenditures for conducting these investigations will be justified more than under ordinary conditions, for the reason that in these States the Government is itself largely interested in any and all investigations looking to the proper development of the mining and metallurgical industries.

I believe, however, that in each of these bills, instead of locating specifically in each State just where the experiment station is to be established, it would be wiser to leave the question of specific location to the department, so that the investigations might be conducted from time to time at whatever point there proved to be most need of investigations and where the investigations might be carried on under the most favorable conditions. Indeed, a movable location for each station might enable the department to carry out the purposes of these bills with greater economy and efficiency than could be done under any other plan.

Under the provisions of these bills there can be no possible conflict of interests between the investigations for which they provide and the work of private mining and metallurgical engineers and chemists.

Very respectfully,

WALTER L. FISHER, *Secretary.*

The report of the Secretary, as will be observed from the above, is favorable. There is a suggestion that it would be wiser to leave the question of the specific location of the station to the Department of the Interior rather than fixing it at any particular place. The reason your committee has not followed that suggestion is because it is believed that in designating the place which is approved by various mining organizations and mining men the judgment and wishes of these should be considered in that respect.

Within a radius of 100 miles from the proposed location there is practically every known combination of gold, silver, lead, copper, zinc, iron, tungsten, and other mineral-bearing ores, and that a great deal of it is what is known as low-grade refractory ores—that is, ore which is difficult to treat. There are very large deposits and a great variety of it there, and the mining interests of the State have felt that there ought to be an experimental mining station in the mining regions, in charge of skilled chemists and metallurgists, for the purpose of not only analyzing and testing those ores but to devise, if possible, new means and processes of treatment—means and methods of aiding the mining industry and saving from waste and conserving the metal resources of the country and making the very valuable mineral substances in this region available for the use and general welfare of the Nation.

On behalf of the mining industry of the Pacific coast it was shown to your committee that the welfare of this Nation is very much dependent upon and affected by the conservation and economical production and treatment of the metals of the Western and Pacific Coast States; that the gold and silver, copper and lead, zinc and iron, vanadium and uranium, and other rare metals that are produced in the Sierra Nevada and other mountain regions are really the lifeblood of the business of this country and the basis of our prosperity; that the metalliferous mining industry is being neglected and has been neglected; and that metalliferous mining at the present time is at comparatively low ebb. It is believed by your committee that if the Government could assist in evolving processes of handling low-grade ores—that is, ores running below $10 per ton—thousands of mines would be opened and the wealth of the world would be added to by many hundreds of millions of dollars.

It was shown that there are a large number of valuable substances that can not under the present process be handled at all, and the problem of the rejuvenation and continued prosperity of the mining industry depends upon the establishment of the metallurgical experiment stations at which scientific and practical work along that line can be done.

The mining men of the Pacific coast and Sierra Nevada and other western mountains feel that the Government should take an interest in and assist in finding means of treatment of the low-grade refractory ores and get them into a merchantable condition. That will require experiments, expenditures, and skilled expert knowledge of the highest class. They prefer to have experts on the ground there to examine the ores and the metal formations as they exist in nature. The place designated in the bill is located in the center of one of the principal mining and metalliferous portions of the State and is advantageously and suitably located for a mining experiment station.

Auburn is on the main line of the Southern Pacific, 126 miles from San Francisco, 657 miles from Los Angeles, and 868 miles from Seattle, thus being easy of access from east, west, north, and south, and is as centrally located with reference to the great mining districts of the country on the Pacific slope as is practically possible.

The project is in no way sectional, but calculated to develop the mining industry of the whole Pacific slope and of the entire country.

The following shows the amount of money obtained from the sale of public mineral lands from 1901 to 1910, inclusive, and a statement of the mining interests and their past want of consideration:

Proportion of reclamation fund arising from receipts of sales of coal and mineral lands for the fiscal years 1901 to 1910, inclusive.

Year.	Reclamation fund.	Coal and mineral lands, aggregate.[1]	Coal lands separate.[1]	Mineral lands separate.[1]
1901	$3,144,821.91	$362,632.85	$200,116.35	$162,516.50
1902	4,585,520.53	462,723.20	171,641.81	291,081.39
1903	8,713,996.60	790,083.56	486,176.54	303,907.02
1904	6,826,253.59	685,668.65	385,276.97	300,391.68
1905	4,805,515.39	551,976.80	269,458.55	282,518.25
1906	5,166,336.50	799,889.27	523,905.72	275,983.55
1907	7,914,131.71	570,415.76	288,092.82	282,322.94
1908	9,416,875.95	886,942.69	599,920.44	287,022.25
1909	7,755,468.81	792,501.66	471,088.08	321,413.58
1910	7,028,185.73	890,385.91	618,828.04	271,557.87
Total, 10 years	65,357,106.72	6,793,220.35	4,014,505.32	2,778,715.03

[1] A deduction of 5 per cent on account of grants to all reclamation States, except Colorado, for purposes of education or of making public roads, has been made from the total receipts from sales of coal and mineral lands.

A small fraction of 1 per cent for fees and commissions of registers and receivers has not been deducted in preparing this statement.

The funds arising from the sale of public lands and set aside for the reclamation work in the public-land States, as indicated by the accompanying tabular statement, during the 10 years ending June 30, 1910, have approximated $65,357,000. Of this amount, $4,000,000 has been derived from the sale of coal lands, and about $2,779,000 from the sale of other mineral lands, making a total derived from the sale of mineral lands of $6,793,000.

During these 10 years this entire fund arising from the proceeds of the sale of all such public lands, including the $6,793,000 arising from the sale of coal and other mineral lands, has been devoted to the upbuilding of agriculture in the public-land States, and no part of this fund has gone to help the mining industry in any of these States.

During this time the mining industry in the public-land States has fallen far behind agriculture in progressive development. Many branches of the industry are showing the need of extended investigations.

The question now raised is as follows:

In view of the fact that the great reclamation work of the Federal Government is now under way, that the policies and principles of irrigation in the arid lands are now well established, that private enterprise is now developing numerous smaller irrigation projects in each of the public-land States, and that the reclamation work of the Federal Government has now reached the stage at which the income from the sale of water rights will rapidly add to the funds arising from the sale of public lands and available for irrigation purposes, is it not right and feasible that at this time some considerable portion of the proceeds from the sale of mineral lands should, for a time, be devoted to investigations looking to the upbuilding of the mining industry in the several public-land States?

The principle of equity in this proposition has already been well established, in that the proceeds arising from the administration of the public forest lands in the West have been largely reappropriated for the care and development of the forest lands; and the application of this principle in behalf of the mining industry would have been called for when the reclamation service was established but for the generous desire on the part of all parties in the West that the principle and the policy of irrigation, by both public and private agencies, should be inaugurated and fully established.

Now, however, that this has been accomplished, and that the mining industry in turn is in need of funds for investigations looking to its further development, the principles of right and equity in behalf of the mining industry should receive recognition.

Your committee believes that the welfare of the miner as affects his health and safety and as affects the general welfare of the whole country demands that due recognition and encouragement should be given to the metalliferous-mining industry and the miners of the West and Pacific coast, and recommends the passage of the bill.

—

THE MINING CONGRESS.

The Southern Oregon and Northern California Mining Congress, held at Yreka July 25 and 26, 1912.

RESOLUTIONS.

I.

Whereas under existing conditions the procedure necessary to the obtaining of patents to mineral lands is complex and often occasions unnecessary delay, which is discouraging to the miner of limited means: Be it therefore

Resolved, That we earnestly recommend a simplified procedure governing the procuring of patents to mineral lands.

II.

Resolved, That we again go on record as commending the splendid work of the American Mining Congress in the legislative creation of the Bureau of Mines and for its assistance and work in placing the mining industry on a better basis, and that we pledge our influence to render any assistance possible.

III.

Whereas it is recognized by the Northern California and Southern Oregon Mining Congress that the topographic and the geologic folios issued from time to time by the United States Geological Survey are of prime importance for the proper study, unfolding, and development of mineral resources; and

Whereas there have been prepared for this territory many such maps and publications, including sheets known as Shasta, Shasta Special, Modoc, Lava Beds, Lassen, Ashland, Crater Lake Special, Grants Pass, Riddles, Roseburg, and there are extensive and important areas remaining to be mapped in this territory: Be it therefore

Resolved, That it is the opinion of this assemblage that encouragement should be lent to the Geological Survey in its labors to supply maps and to carry on additional surveys, and it is urged upon our Representatives in Congress, Messrs. RAKER and HAWLEY, and upon our Senators from Oregon and California that proper and effective measures be taken to the end that this work shall not lag, but that these unmapped sections shall be speedily surveyed and the results published; that the secretary is hereby instructed to forward copies of this resolution to the Director of the Geological Survey and one each to Representatives HAWLEY and RAKER, and to our United States Senators, all at Washington, D. C.

IV.

Whereas under existing conditions the development and operation of the many rich mining properties in this district is greatly retarded owing to the excessive freight rates charged by the railways and other transportation companies in this district for the transportation of the ores from mines to the places where said ores can be successfully and profitably treated; and

Whereas the general good of the whole people of said respective States is inseparably linked with the building up of the great industry of mining in all of its various phases, which general good is also retarded by the handicap placed upon the development of mining properties by the railroads and other transportation companies through excessive freight and transportation rates: Therefore be it

Resolved by this congress, That the legislatures of said respective States and the State railroad commissions of said States and the Interstate Commerce Commission be, and they are, requested and urged to make a thorough investigation into existing freight and transportation rates now in force in this district and to secure such reduction thereof as will enable the miner to better develop the many rich properties now lying dormant for want of such equitable transportation rates.

V.

Whereas the interpretation of the mineral laws of the United States is frequently burdensome as applied by the Interior Department and detrimental to the prospector and mining industry relative to the use of water and timber: Be it

Resolved, That it is the sense of this congress that the Secretary of the Interior be memorialized to the end that such encouragement should be given the prospector and mining people as will tend to upbuild the mining industry, and that because of the importance and far-reaching influence on all other industries such complaints as are laid before any of the governmental departments should be considered with a view of liberality to the end that it will encourage and stimulate the efforts of those who are the forerunners in locating and developing our mineral resources.

VI.

Whereas the State mining bureau has long been recognized as one of the most valuable and helpful to the miner of all the various departments and bureaus of the State, and as an institution when adequately provided with money is capable of still doing a vast amount of good in aiding and fostering the mineral industry of the State: Therefore be it

Resolved, That the members of this convention earnestly request the Legislature of California at its next regular session to make an appropriation for the support of the State mining bureau in such an amount as shall enable the State mineralogist to take up and carry forward the work of his department in a proper and in a more comprehensive manner than has been possible during the past 15 years.

VII.

Whereas the State Bureau of Mines of Oregon has been organized to do similar work to that of the Mining Bureau of California, and has shown itself during the year, with the limited means available, to be very valuable in aiding and fostering the mineral industry of Oregon: Therefore be it

Resolved, That the members of this congress do all in their power to induce the Legislature of Oregon, at the next session, to make an appropriation for the State Bureau of Mines in such an amount as shall enable the director thereof to carry forward the work of the department in proper and efficient manner, according to the provisions of the law creating said bureau.

VIII.

Whereas the investing public is frequently placed at the mercy of unscrupulous mine and other promoters; and

Whereas the field of legitimate investment in this district is large and splendid opportunities exist here for the safe and profitable investment of capital in our mining industries, but that a condition of unrest and suspicion exists in the minds of those seeking legitimate investment because of fake schemes frequently floated by such unscrupulous operators: Now, therefore, be it

Resolved, That this congress is opposed to the floating of worthless stock or mining properties of any kind and will do all within its power to expose any such frauds as may come to our notice to the end that our mining industry may thereby be advanced.

IX.

Whereas the Panama-California Exposition at San Diego, through its commissioner, Mr. Jefferson Davis, has courteously extended to this convention an invitation to hold a session thereof in San Diego in the year 1915, and to make a suitable mineral display at the exposition to be held in that city during said year: Now, therefore, be it

Resolved, That we tender to said exposition commission a vote of thanks for its cordial invitation, and we heartily indorse the suggestion to make such a suitable mineral display, and we also recommend in this connection that a suitable mineral exhibit be displayed by this district at the Panama-Pacific Exposition to held at San Francisco in the year 1915.

X.

Whereas the prospector of the various counties and the States of Oregon and California is the the actual pioneer in the mining industry and is subjected to many hardships and struggles: Therefore be it

Resolved, That this congress pledge all reasonable aid and assistance to further the interest of the prospector; and be it

Further resolved, That a sepcial invitation be, and the same is hereby, extended to all prospectors to become members of this congress.

XI.

Whereas it is the opinion of this committee that it will be for the best interests of this congress that the times of the semiannual meetings thereof be changed: Therefore be it

Resolved, That the semiannual meetings of the congress be hereafter held in the months of May and October instead of in the months of January and June.

XII.

Whereas the city of Yreka and county of Siskiyou have gone to great trouble and expense in their efforts to entertain the members of this congress during the session now in progress and in the preparation of the exceedingly rich, beautiful, and altogether splendid exhibit of ores here displayed; and

Whereas every courtesy has been extended by them to our members, making our stay here one of pleasure as well as of vast good, thereby greatly cementing the bonds of friendship existing between the miner and the prospector of the different localities embraced within this district, and also greatly promoting the good cause we champion: Now therefore be it

Resolved by this congress, That a vote of thanks be, and the same is hereby, extended to the loyal, patriotic, progressive, and exceedingly courteous citizens of Yreka and Siskiyou County for this splendid entertainment and their untiring efforts in making this meeting the marvelous success it is, and the lasting good which is sure to come herefrom to the mining and allied interests of the States of Oregon and California; and be it further

Resolved, That a vote of thanks be extended to the people of Shasta for the magnificent display made here from said county and for the great interest manifested by them in the work of this congress; and we heartily recommend that the next meeting of this congress be held at Redding, in said county, as suggested and recommended by the committee on time and place of next meeting.

XIII.

Ever since the prospectors of forty-nine blazed the trails over the Sierras and opened to the world the wealth of our gold mines the policy of the United States, in splendid recognition of their splendid service, has been to keep open to their class the mineral lands. This policy, incorporating as it has the miners' rules, adopted at miners' meetings, into the laws of the land, after half a century trial has proved both its wisdom and its fairness. The prospector is still the greatest individual benefactor to the world's development. The "grub stake" is still the most patriotic investment. Every dollar dug from the earth by the miner is a new dollar added to the wealth of the Nation, and it is a clean dollar. Over 300,000,000 of such dollars have been found by the prospector and miner and milled by the miners from the very mineral belt which this congress represents. Within this same area, hidden in vein and ancient channel, are still immeasurable treasures. Every mine casts its trace. The prospector with pick and pan, pluck and patience, seeks the trace and follows it to the mine. This trace must be left for the prospector to follow. The mine must remain his to find, and with the finding the right to work must be his.

Contravening this policy and denying to the prospector these long-unquestioned rights, the Central Pacific Railway is now claiming practically one-third of the great mineral belt, extending through Jackson and Josephine Counties, Oreg., and Siskiyou, Trinity, and Shasta Counties, Cal. This claim is in defiance of the express terms of its grant and is against the very language of its patents.

Believing this claim to be without right and that its blight upon the mining industry should be removed, not by driving the miner to engage at his own expense in litigation with that powerful corporation but by Government action, without expense to the miner, just as is being done toward the oil lands to-day: Therefore be it

Resolved, That the miners of southern Oregon and northern California, in this congress assembled, do hereby respectfully request the proper Federal and State authorities to take immediate steps within this mineral belt to have the mineral lands therein covered by claims or patents to the Central Pacific Railway Co. or its affiliated corporation or its predecessors in interest exempted and segregated from said claims and patents and restored to public domain and to the right of the miner to prospect for and locate claims thereon: Be it further

Resolved, That copies of this resolution, properly certified, be sent to the Attorney General of the United States, the Director of the Bureau of Mines, our Congressmen and United States Senators, and the State mineralogists of Oregon and California.

XIV.

Be it resolved, That it is the sense of this congress that the national forest policy and service has proved an efficient agency not only in preserving for the prospector the undiscovered mineral deposits in the district, by preventing their acquisition through nonmineral entries, but in facilitating their location, enjoyment, and patenting by good faith mineral claimants in accordance with laws passed in the interest of miners: Be it further

Resolved, That it is the sense of this congress that the Forest Service employees in the field should be authorized to investigate, in connection with the miners, the lands covered by railroad grants and other nonmineral patents in the mineral belt, preparatory to Government action in having such lands as are mineral exempted and segregated from lands properly held under such grants as nonmineral patents.

CORVALLIS AND YAQUINA BAY MILITARY WAGON ROAD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8151) providing for the adjustment of the grant of lands in aid of the construction of the Corvallis and Yaquina Bay military wagon road and of conflicting claims to lands within the limits of said grant.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, this bill is rather long. I do not know whether there is anyone here representing it. I will ask to have it passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

DELTA DIVISION, NORTHERN JUDICIAL DISTRICT OF MISSISSIPPI.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25342) to amend section 90 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and for other purposes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 90 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and the same is hereby, amended so as to read as follows:

"SEC. 90. The State of Mississippi is divided into two judicial districts, to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalobusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. Terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the fourth Mondays in January and July: *Provided*, That suitable rooms and accommodations for holding court at Clarksdale are furnished free of expense to the United States. The Southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Adams, Amite, Copiah, Covington, Franklin, Hinds, Holmes, Jefferson, Jefferson Davis, Lawrence, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Claiborne, Issaquena, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory

embraced on the date last mentioned in the counties of Clarke, Jones, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Marion, Perry, and Pearl River, which shall constitute the southern divisison of said district. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the first Mondays in January and July; for the eastern division, at Meridian on the second Mondays in March and September; and for the southern division, at Biloxi on the third Mondays in February and August. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district."

Mr. HOUSTON. Mr. Speaker, the only change that this bill effects in the present law is to insert the county of George into the southern division of the southern judicial district of Mississippi. It was placed there by act of Congress February 5, 1912. This same section was amended by an act passed May 27, 1912, and this county was omitted. It is only to make a correction to that extent.

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

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

OTTER AND BEAM TRAWLING.

The next business on the Calendar for Unanimous Consent was House joint resolution 173, providing for an investigation by the Commissioner of Fisheries as to the destructiveness of the method of fishing known as beam trawling.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolved, etc., That the Commissioner of Fisheries be, and he is hereby, authorized and directed to make an investigation into the method of fishing known as otter and beam trawling and to report to Congress whether or not this method of fishing is destructive to the fish species or is otherwise harmful or undesirable.

SEC. 2. That in the event that the Commissioner of Fisheries finds this method of fishing to be destructive, harmful, or undesirable he shall recommend to Congress such legislation as he may deem necessary.

SEC. 3. That an appropriation is hereby authorized for carrying into effect the provisions of this resolution.

The SPEAKER. This resolution is on the Union Calendar.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I suggest to the gentleman that there is an item dealing with this same matter in the sundry civil appropriation bill. There does not seem to be any present necessity for the consideration of this resolution, and I suggest that the gentleman have it go over without prejudice.

Mr. GREENE of Massachusetts. Very well.

Mr. MANN. I suggest that section 3—which carries the appropriation—of the resolution be stricken out.

Mr. SHERLEY. Very well. Perhaps the matter could be better adjusted by striking out the third section. I am familiar with the bill and have talked with the gentleman from Massachusetts [Mr. GARDNER], its author, who is very much interested in it and who has taken a great deal of trouble in promoting it. He desires that the bill be passed. I suggest that it be passed with that section stricken out.

Mr. GREENE of Massachusetts. I have no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 5, after the word "as," insert the words "otter and."

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

Mr. MANN. Mr. Speaker, I would like to ask the gentleman from Massachusetts, if I may, to very briefly tell us what beam trawling is as distinguished from otter trawling. I know what otter trawling is.

Mr. GREENE of Massachusetts. I do not know the difference between the two. We had the bill first for beam trawling, and it was suggested to add otter trawling. I am not familiar with the fishing business, but the gentleman from Massachusetts, my colleague, Mr. GARDNER, is, and I suppose could fully explain it if he were present.

Mr. MANN. He is out of the House at present upon other business. He was here a moment ago.

Mr. GREENE of Massachusetts. I could not explain it.

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

The amendment was agreed to.

Mr. SHERLEY. Mr. Speaker, I move to amend by striking out section 3.

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

The amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the House joint resolution as amended.

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

The title was amended to read: "A joint resolution providing for an investigation by the Commissioner of Fisheries as to the destructiveness of the method of fishing known as otter and beam trawling."

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

CADETS SASSE, FREELAND, SIMPKINS, AND CHRISTIAN.

The next business on the Calendar for Unanimous Consent was S. J. Res. 99, authorizing the President to reassemble the court-martial which on August 16, 1911, tried Ralph I. Sasse, Ellicott H. Freeland, Tattnall D. Simpkins, and James D. Christian, cadets of the corps of cadets of the United States Military Academy, and sentenced them.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, some gentleman, I think, stated that he was very anxious to make a brief explanation concerning this resolution. I do not see him present now.

Mr. RODDENBERY. Mr. Speaker, I hope the gentleman will not object.

Mr. MANN. I would be very glad to hear what the gentleman from Georgia has to say.

Mr. RODDENBERY. My colleague from Virginia [Mr. GLASS] can perhaps state the matter better than anyone else.

Mr. SPARKMAN. Mr. Speaker, I would like to say that I have no personal interest in this resolution. One of the parties affected by it, however, resides in the district represented by my colleague, Mr. CLARK of Florida, who is absent on account of sickness. I have therefore been requested to look after the measure here in so far as it affects this individual. I think the resolution one that in all fairness should be passed, because it appears that these young men, for some minor offense, were taken before a board, their case investigated, and an order of dismissal from the Military Academy at West Point was made, under a misapprehension as to their duties and powers as fixed by the regulation under which they were proceeding. They seemed to think they were proceeding under a certain rule or order which had been amended, without knowledge at the time of the amendment. They state, in substance, as I understand, that if they had known of the change in order they would not have dismissed these young men from the academy, but would have inflicted some milder punishment. The members of the board are now willing to reassemble, if authority is given as contemplated in this resolution. It is believed that a rehearing would result in their reinstatement.

Now, if all this is true, it seems to me that there can be no reasonable objection to the passage of the resolution. If it is not done now, it is likely that it need not be done at all, as it will probably come too late if it is put off till next session. I therefore hope there will be no objection to the consideration of the resolution.

Mr. RODDENBERY. Mr. Speaker, the gentleman from Illinois and the gentleman from Kansas, I presume, have looked at the report, but perhaps it has not come to their attention——

Mr. MANN. The gentleman from Kansas is heartily in favor of this bill with an amendment.

Mr. RODDENBERY. The Secretary of War gives his assent to this proposed resolution. These young men were tried just a year ago. The regulations existing at that time did not subject them to the extreme punishment and the court-martial was not apprised in law or in fact of the existence of such regulations——

Mr. FOSTER. Will the gentleman permit a question? This is the first offense of these young men?

Mr. RODDENBERY. The record disclosed it is the first offense of any of these young men. The evidence in the trial, as appears in the record of the trial, is that none of the young men were boisterous; that there was no disorder created; that there was no complaint on the part of the public. These young men were not at the Military Academy, but off at a summer camp on vacation. They met the boys in the road, and they disclaimed any such conduct on the part of the other boys, and when the question was propounded whether the boys had been drunk, they made the statement they were not. They merely admitted having gone into a little place and bought some do-

mestic wine of some kind and had drank that. They all plead guilty to the court-martial, but the impression seemed to be that there was a charge of drunkenness against them. Not at all.

Mr. FOSTER. It is under that regulation which prohibits the use of liquor.

Mr. RODDENBERY. "Cadets who shall drink or be found under the influence of intoxicating liquor." They plead guilty and were convicted of the charge of having drunk intoxicating liquors contrary to the regulations.

Mr. FOSTER. Their record in the academy was good.

Mr. RODDENBERY. It was good. Members will note that if these young men are to be reinstated and to return to the academy they should go now. The longer it is deferred the older they are and the longer separated from their previous training. I call attention to the fact that this does not require the reinstatement of these young men. It does not force a hearing. There is nothing in the resolution obligating the reinstatement of them, but it merely gives jurisdiction for that purpose, and I hope that the gentleman, unless there is some objection other than we have heard, will not insist upon denying consideration at this time. I desire to state that the interest I have in the matter personally is that one of the cadets was from my district. He was not appointed by me, but by my predecessor, who usually and invariably appointed the very best young man he could get in the district.

Mr. ANTHONY. Mr. Speaker, reserving the right to object to the bill in its present form, I want to say I have investigated this case. I have been to the academy as a member of the Board of Visitors and have devoted considerable time to looking into this case, and I have no hesitancy in saying to the House that I consider it a cruel and unusual punishment for these cadets for the very trivial offense of taking a drink. The former superintendent of the academy, who insisted upon this, has been ordered elsewhere and a new superintendent is there. I think that there was general complaint of his severe administration there, and I think these boys are entitled to be reinstated. It would be an act of justice for this House to pass this bill. I desire to offer an amendment to the bill.

The SPEAKER. The bill has not been read yet.

Mr. MANN. Mr. Speaker, reserving the right to object——

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I appreciate the fact that these young men have been partially punished, but if they should go into the Army the first thing that is necessary to learn is to obey orders and not think that they can escape a violation of orders through political influence. We are met with enough propositions coming from Army officers now, either on the active or retired list, to have special legislation in their favor, but to start young men in the Military Academy because they have succeeded in lobbying a bill through Congress will be contrary to maintaining their efficiency as Army officers, and, therefore, I object.

The SPEAKER. The gentleman objects, and the resolution is stricken from the calendar.

REFUND OF DUTIES ON LACE-MAKING AND OTHER MACHINES, ETC.

The next business on the Unanimous Consent Calendar was the bill (H. R. 12813) to refund duties collected on parts and accessories of lace-making and other machines imported prior to January 1, 1911.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, as I understand under the law passed in 1909 lace-making machines were exempt from duty. I would like some information about whether this bill provides for a remission of duty on parts and accessories of lace-making machines which were imported and paid the duty, and whether or not this bill was intended to cover parts and accessories of lace-making machines. If it does, I think this bill ought to pass; and if it does not, I think that the Treasury officials, the collectors of customs, must have decided at the time that they were not exempt.

Mr. PETERS. Mr. Speaker, allow me to answer the question. The present rate on lace-making machines is 45 per cent. In order to stimulate embroidery and lace making in this country there was a provision put in the Payne Act that machines for that purpose might enter free of duty up to the 1st of January of last year. They were imported machines and parts of machines. Now, certain customhouses did not assess any duty on parts of these machines; other customhouses did. It was subsequently decided that all parts of these machines should come in free, and for the purpose of carrying out the provisions of the law uniformly in all customhouses this bill was introduced. There was a mistake made by the collectors, and it was too late to rectify it except by special act.

Mr. FOSTER. As I understand this paragraph 197, the proviso saying that these machines should come in free of duty did not say anything about the parts, did it?

Mr. PETERS. If the whole machine is going to come in, it is intended that the parts should come in if they can be used for nothing else.

Mr. UNDERWOOD. I will say to the gentleman from Illinois [Mr. FOSTER] that really these machines came in in parts in one shipment and the parts had to be adjusted. In some of the customhouses they treated the disconnected parts as one machine and admitted them all free of duty, but in other customhouses they let in the machines and the parts that went along with them were all taxed. It was all one machine, really, only some of the parts were not assembled, and it was a mistake of the customhouse, because when it came up the board of appraisers decided against the collector. .

Mr. PETERS. These parts could only be used for an embroidery machine.

Mr. MOORE of Pennnsylvania. This bill is general in its application? It will cover all cases where duties have been paid?

Mr. PETERS. Yes.

Mr. MOORE of Pennsylvania. And there can be no more claims of this kind?

Mr. PETERS. There can be no more.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 12813) to refund duties collected on parts and accessories of lace-making and other machines imported prior to January 1, 1911.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to refund all duties collected upon parts or accessories of all embroidery machines and Lever and Gothrough lace-making machines, machines used only for the weaving of linen cloth from flax and flax fiber, and tar and oil spreading machines used in the construction and maintenance of roads and improving them by the use of road preservatives shall, if imported prior to January 1, 1911, be admitted free of duty.

The SPEAKER. This bill is on the Union Calendar.

Mr. PETERS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out after the enacting clause on page 1, and lines 1 and 2 on page 2, and substitute the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, all duties collected and not refunded upon all embroidery machines, Lever and Gothrough lace-making machines, machines used only for the weaving of linen cloth from flax and flax fiber (including preparatory machines), and also all parts or accessories of any of said machines, if imported subsequently to August 5, 1909, and prior to January 1, 1911."

Mr. MANN. Mr. Speaker, I notice that in this bill they spell the words as though it was "Lever and Gothrough." The Clerk reads that, I think, properly, as "Lever and Gothrough." The lever and go-through name should not be spelled with a capital "L" and a capital "G." I would like to ask the gentleman whether this is a machine made by persons who invented it, or whether that is the name by reason of the operation of the machine, which operates with a lever and goes through?

Mr. PETERS. "Lever" and "Gothrough" are spelled with capital letters because these are trade names.

Mr. CURLEY. I will state that in comparison of the tariff bills of 1897 and 1909 it is set forth as the maker of the machine.

Mr. MANN. Has the gentleman examined the tariff act of 1909 himself?

Mr. CURLEY. I will say I have not. This is a report showing a classification of the others. Possibly the gentleman from Connecticut [Mr. HILL] can inform us.

Mr. HILL. My understanding of the situation is that the name of "Lever and Gothrough" represents the character of the construction of the machine, but it is so peculiar in its character and construction that it is printed with capital letters both in the sales market and I think also in the law. It does not represent the name of any individual. It is simply a "lever and go-through machine," and stands about 12 feet upright, and is operated by a lever.

Mr. MANN. With my own slight knowledge of lace making I concluded that was the case, although I was informed by the gentleman who introduced the bill that it was the name of the maker of the machine according to the report he had. I know

I have seen it both ways, and I am inclined to think it ought to be spelled with capital letters. I do not know as I particularly care, if the department understands it.

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 a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to refund duties collected on lace-making and other machines and parts or accessories thereof imported subsequently to August 5, 1909, and prior to January 1, 1911."

BRIDGE ACROSS THE DELAWARE RIVER SOUTH OF TRENTON, N. J.

The next business on the Calendar for Unanimous Consent was the bill (S. 5458) to extend the time for the completion of a bridge across the Delaware River south of Trenton, N. J., by the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this bill proposes to extend the time for the construction of a bridge by the Pennsylvania Railroad Co. or some other railroad company under an old act of Congress that was passed prior to the passage of the general bridge law. If the gentleman in charge of the bill desires to strike out all after the enacting clause and insert a new amendment which would give the authority to build this bridge in conformity with the provisions of the general bridge act, I shall have no objections. I am not in favor of extending the time for the building of bridges under acts passed before the passage of the general bridge act, and which probably contained none of the precautionary provisions that are contained in that law.

Mr. COVINGTON. Mr. Speaker, I will state to the gentleman from Illinois [Mr. MANN] that that is absolutely what is now intended to be done. At the time that this bill was originally brought from the Senate and reported to the Committee on Interstate and Foreign Commerce I, as the Member in charge of the bill, advised the railroad officials that they ought not, after the passage of the general bridge act, have an extension of time for any special bridge bill passed before that act, and they agreed to accept an amendment to the act striking out all after the words "A bill" and inserting in lieu of the act as it passed the Senate a bill which is an ordinary bridge bill, subject to all the restrictions and limitations of the existing general bridge act. I shall offer that amendment at the proper time.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act approved March 16, 1906, authorizing the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. or their successors to construct, maintain, and operate a bridge across the Delaware River between a point south of and within 1 mile of the southern boundary line of the city of Trenton, in the State of New Jersey, and a point south of and within 1 mile of the southern boundary line of the borough of Morrisville, in the county of Bucks and State of Pennsylvania, be, and the same is hereby, so amended that the time within which the said bridge shall be required to be completed shall be within five years from the date of the approval of this act: *Provided*, That the said bridge shall be built and completed in accordance with such plans as the Secretary of War and Chief of Engineers may hereafter approve, and until such approval has been given no further work of construction shall be done by the said companies.

SEC. 2. That said act as thus amended be, and the same is hereby, revived and reenacted.

Mr. MANN. I hope the gentleman will send up his proposed amendment and have it read.

Mr. COVINGTON. I will send it up right now.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Maryland [Mr. COVINGTON].

The Clerk read as follows:

Strike out all after the words "An act" and insert in lieu thereof the following:

"To authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River.

"Be it enacted, etc., That the Pennsylvania Railroad Co., a corporation existing under the laws of the State of Pennsylvania, and the Pennsylvania & Newark Railroad Co., a corporation existing under the laws of the State of New Jersey, or their successors, be, and they are hereby, authorized to construct, maintain, and operate a bridge, with as many tracks as they shall deem necessary for railroad traffic, across the Delaware River at a point suitable to the interests of navigation, between a point ½ of a mile south of and a point 1½ miles south of the southern boundary line of the city of Trenton, in the State of New Jersey, and a point south of and within 2¼ miles of the southern boundary line of the borough of Morrisville, in the county of Bucks and State of Pennsylvania, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable water,' approved March 23, 1906.

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

The SPEAKER. Is there objection?

Mr. SPARKMAN. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman if there has been any agreement or understanding between the people of Trenton—the authorities of Trenton—and the railroad people as to the location of this bridge?

Mr. COVINGTON. I will state to the gentleman from Florida that this bill was on the Unanimous Consent Calendar during the month of June, it being a bill that had passed the Senate without opposition. It was referred to the Committee on Interstate and Foreign Commerce, recommended favorably to that committee by the Secretary of War and the Chief of Engineers, duly reported to this House, and, being apparently without opposition, was called up for passage. On the date when it was reached on the Unanimous Consent Calendar it was objected to by one of the Representatives from the State of New Jersey.

In response to that objection I sought the precise reason for it, and found that the mayor of Trenton and other substantial citizens, representing the business interests of that locality, objected to the then location of the bridge. The Committee on Interstate and Foreign Commerce reopened the matter and authorized a subcommittee to hold hearings upon that, although the unusual situation was presented of hearings had on a bill that had been reported. As the result of those hearings it developed that there was a locality about half a mile below the location prescribed in the original bill which is absolutely satisfactory to all the business people interested in increasing the water facilities of Trenton and to the railroad officials and to the Chief of Engineers.

The present bill, I will state to the gentleman from Florida, has changed the location to meet the approval of all those interests and to meet the requirements of the general bridge act. I have upon my desk now—I presume the gentleman will not require me to take the time of the House to read them—letters from the Chief of Engineers and from the mayor of Trenton, stating that the new location is satisfactory to all the commercial interests of Trenton and to all interests of navigation.

Mr. SPARKMAN. I know that the original bill was objectionable to the authorities in Trenton and that a new bill had been agreed to.

Mr. COVINGTON. The gentleman is entirely correct, and the bill in its amended form satisfies all the interests concerned.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Maryland [Mr. COVINGTON].

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

The SPEAKER. The question is on the third reading of the Senate bill as amended.

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

On motion of Mr. COVINGTON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SALE OF CERTAIN LOTS IN HOT SPRINGS, ARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25611) to authorize the sale of certain lots in the Hot Springs Reservation for church and hospital purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

Mr. MANN. I reserve the right to object.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress approved June 21, 1894 (28 Stat. L., p. 95), entitled "An act granting the use of certain lands in the Hot Springs Reservation in the State of Arkansas to the Barry Hospital," be, and the same is hereby, repealed.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to sell and dispose of, at a price to be fixed by him after an examination of the premises, to the trustees of the Third Street Methodist Church of the city of Hot Springs, in the State of Arkansas, lots 4, 5, and 6, in block 115, in said city and State, and to the Barry Hospital, of the city of Hot Springs, in the State of Arkansas, a charity hospital organized and chartered under the laws of the State of Arkansas, lots 9 and 10 in block 114 in said city and State: *Provided*, That the grantees herein named shall make application to purchase within one year from and after the date of the passage of this act and make full payment of the purchase price fixed by the Secretary of the Interior within one year from and after notice thereof.

The SPEAKER. This bill is on the Union Calendar.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to amend the bill in line 10, page 1, by inserting before the word "price" the words "fair market."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend, page 1, line 10, by inserting before the word "price" the words "fair market."

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

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

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

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

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PENSIONS FOR WIDOWS AND MINOR CHILDREN OF SOLDIERS IN THE WAR WITH SPAIN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17470) to pension widows and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection.

The SPEAKER. The Chair will state that this bill is on the calendar for Calendar Wednesday as unfinished business.

Mr. MANN. It may be passed by unanimous consent.

Mr. MURRAY. Mr. Speaker, the gentleman from Pennsylvania [Mr. CRAGO], who has charge of this bill, has been required to leave on account of illness in his family. In his absence I hope the bill may receive the consideration to-day that it can have under unanimous-consent requests.

The SPEAKER. Is there objection?

Mr. ADAMSON. Mr. Speaker, I do not want to object, but I reserve the right to object. Does the gentleman from Massachusetts expect that this will consume much time?

Mr. MURRAY. No; the bill and the report accompanying it are very clear. It is the same bill that has been under discussion during the two last Calendar Wednesdays and, as the Speaker of the House suggests, it is unfinished business.

Mr. ADAMSON. There are a large number of bills yet on the calendar, and this is the last opportunity that we shall have for their passage.

Mr. MURRAY. As far as we are concerned, we will consume very little time.

Mr. RODDENBERY. Mr. Speaker, I object.

Mr. GARDNER of Massachusetts. Oh, I ask the gentleman from Georgia not to object.

Mr. RODDENBERY. I will reserve the objection.

Mr. MURRAY. May I ask the gentleman whether or not his objections to the bill are of such a fundamental character that the proponents of the legislation can not or might not be able to convince him that it is a meritorious bill?

Mr. RODDENBERY. This bill is the regular order for Calendar Wednesday and has been considered one day. I merely desire to let it enjoy the sacred precincts and privileges of Calendar Wednesday, and after it has had the full time that the rule for Calendar Wednesday allows, if it does not pass it may perish; but I do not think it should get in the way of Members now who have important measures, when this has already been considered one day.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. RODDENBERY. Yes.

Mr. MANN. The gentleman knows that this bill will be the regular order on Calendar Wednesday until it is disposed of. Would not the gentleman prefer to have it disposed of here, so that we might reach the immigration bill next Wednesday?

Mr. RODDENBERY. I well know, as the other gentlemen do, that the immigration bill will not be reached next Wednesday.

Mr. MANN. It is very close.

Mr. RODDENBERY. The sooner we finish these bills the sooner will Calendar No. 386 be reached, and I hope the gentleman will not object to the consideration of the immigration bill then. I hope no other gentleman will object.

Mr. MANN. But the immigration bill is too important a bill to be considered to-day.

Mr. RODDENBERY. We will reach the immigration bill to-day.

Mr. MANN. But we will not consider it to-day after the gentleman objects to the consideration of this bill.

Mr. CARLIN. I call for the regular order.

The SPEAKER. The Chair thinks that time is saved to let the debate run on a little. The Chair will take the privilege of suggesting to the gentleman from Georgia that while this bill was technically considered one day, the Members took up most of the time in political speeches.

Mr. RODDENBERY. I think we can compose this matter and obtain unanimous consent that this bill be taken up without objection and that immediately after its consideration the immigration bill be made a special order by unanimous consent and a continuing order until finally disposed of. If that agreement can be reached I shall withdraw my objection.

Mr. GARDNER of Massachusetts. The gentleman from Georgia is in exactly the same position I was six years ago. I was fighting my own party then, and he is fighting his party now, in order to get consideration for the immigration bill. I say to him that if he gets this bill off the calendar he lets the immigration bill come along; and, moreover, the gentleman from Georgia does not want to take the responsibility of destroying this opportunity of the Spanish War veterans to get what they want.

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Virginia demands the regular order, which is that the Chair shall put the question whether anybody objects.

Mr. RODDENBERY. Mr. Speaker, upon the grounds I have stated——

The SPEAKER. It makes no difference what the grounds are.

Mr. RODDENBERY. On the grounds I have stated, I object.

The SPEAKER. The bill will be stricken from the Unanimous Consent Calendar.

FISH-HATCHING AND FISH-CULTURE STATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25832) to establish fish-hatching and fish-culture stations in various States of the United State.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following sums, or so much thereof as may be necessary, be, and the same are hereby, authorized to be appropriated for the establishment of fish hatcheries and fish-culture stations in the States hereafter named, at suitable points indicated hereafter, to be selected in the discretion of the Secretary of Commerce and Labor, including purchase of site, construction of buildings, and equipment:

State of Alabama, at or near the city of Mobile, where the city has donated the site, $25,000.

State of Georgia, at or near the seacoast, $25,000.

State of Washington, on the Quiniault River, or its tributaries, or on Lake Quiniault, $25,000.

State of Illinois, in the sixteenth congressional district, $25,000.

State of North Carolina, in the mountains of western North Carolina, $25,000.

State of Oklahoma, $25,000.

State of Texas, on or near the Gulf coast, $25,000.

State of Nebraska, in the first congressional district, $25,000.

State of Oregon, $50,000 (for two stations).

State of Indiana, in the northern part of the State, $25,000.

State of Arkansas, at or near as possible to Hot Springs, $25,000.

State of Tennessee, $25,000.

Provided, That before any final steps shall have been taken for the construction of a fish hatching and cultural station in accordance with this act the States herein named, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and culture and all operations connected therewith, in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery shall be discontinued whenever the State ceases to accord the right referred to in the preceding proviso, and may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I do not know that I would object if I could get unanimous consent at the same time for the insertion in the bill of an amendment like this:

State of Illinois, at or near the city of Chicago, $35,000.

Not being a member of the Committee on Merchant Marine and Fisheries, I did not have an opportunity to get it into the original bill. [Laughter.] Unless I can get it in the bill, as I am a Member of the House——

Mr. SHERLEY. Is the gentleman from Illinois making a trading proposition?

Mr. MANN. I am offering a trading proposition.

Mr. FOSTER. Mr. Speaker, I have another proposition which provides that the Secretary of Commerce and Labor is hereby authorized and directed to establish and equip a biological station for the propagation of fresh-water mussels in the twenty-third congressional district of Illinois, at some point along the Wabash River, to be selected by the Secretary of Commerce and Labor, the cost of establishing the same, including the purchase of site, construction of buildings and ponds, and equipment, not to exceed $25,000.

Mr. MANN. I may say that the amendment I desire to offer, if the bill is considered, is upon the ground that practically there are no fish hatcheries on the Great Lakes, and if there is need to establish them anywhere they ought to be established where they can furnish fish to the greatest body of fresh water in the country.

Mr. CANNON. I think one ought to be established in the Danville district. [Laughter.]

Mr. FOSTER. I may state that this bill was favorably reported in the Sixty-first Congress. I take it that every man in this House is thoroughly familiar with the great industry of digging mussels and the procurement of pearls in the Wabash River. It affords the greatest number of pearls and the greatest wealth of any river in the United States.

Mr. MANN. Mr. Speaker, as I understand it, fresh-water mussels are found in numerous quantities in mud rivers that are worthless for any other purpose. I agree with the gentleman that his mussel hatchery ought to be provided for.

Mr. HOUSTON. Mr. Speaker, the Committee on the Merchant Marine and Fisheries has had these matters under consideration in all of these bills, and after considering them fully has reported about 13 fish hatcheries in the different States. The committee sets forth in its report that it has reported as many as the Government can provide experts to carry on each year, and says further that it can provide for this number, and they have been located at such points where they are most needed. Gentlemen who are interested in fish hatcheries ought to be willing to let this bill go through, and let them be established at points where they are most needed, and then the way is opened next year for the ones in which they are interested.

Mr. FOSTER. How many fish hatcheries are there now in the State of Tennessee?

Mr. HOUSTON. There is one in East Tennessee.

Mr. FOSTER. And there is another one to be established now.

Mr. HOUSTON. The surest way to get one in Illinois is to listen to the report of this committee that has fully investigated the subject, and reports that they have placed these hatcheries at the points most needed.

Mr. CANNON. How many are there in the United States?

Mr. HOUSTON. I am not able to answer that question.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, if the gentleman says they are located where they are most needed, I am surprised that the committee has overlooked the bill which proposed to establish one at Ittabena, in the third congressional district of Mississippi. There is certainly no place in the United States where a fish hatchery is more needed than in that particular part of the country.

Mr. HOUSTON. But the Committee on Merchant Marine and Fisheries did not agree with the distinguished gentleman from Mississippi as to that point.

Mr. HUMPHREYS of Mississippi. That does not reflect any great credit upon the combined wisdom of the committee when they differed with the gentleman from Mississippi, because the committee is not as fully advised as is the gentleman from Mississippi on that particular point, and I hope, if this bill is to be considered, the gentlemen will not object to having an amendment added which will provide for the fish hatchery in that part of the country. There is no fish hatchery in all the great delta of the lower Mississippi.

Mr. PADGETT. I would suggest to the gentleman there is a very famous one at Tupelo.

Mr. HOUSTON. There is one in Mississippi.

Mr. HUMPHREYS of Mississippi. But it is up in the northeastern part, only a very few miles from the State of Tennessee, where there is already one and where it is proposed to place another. The fish hatchery now in Mississippi is more a Tennessee project than it is a Mississippi project. We need a fish hatchery in the delta of the Mississippi much more than in the mountains of Tennessee, and I hope the gentleman will agree to let this amendment go on providing for a fish hatchery at Ittabena.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

Mr. MANN. Mr. Speaker, I will ask the gentleman from Pennsylvania to withhold his objection for a moment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I withhold the objection for a moment.

Mr. MANN. Mr. Speaker, the gentleman from Tennessee stated that the fish hatcheries provided for in this bill were located in the places in the United States where they are most needed, but I notice one of them is located in the district represented by the gentleman from Washington [Mr. HUMPHREY], who is on the committee which reported the bill; one of them is located in the district represented by my colleague from Illinois [Mr. STONE], who is on the committee which reported the bill; one of them is reported in the State represented by the gentleman from North Carolina [Mr. FAISON], who is on the committee which reported the bill; one of them is in the State represented by the gentleman from Oklahoma [Mr. CARTER], on the committee that reported the bill; one of them is located in the State of Texas, represented by the gentlemen from Texas, Mr. HARDY and Mr. YOUNG, on the committee that reported the bill; one of them is located in the State of Indiana, represented by the gentleman from Indiana [Mr. BARNHART], on the committee that reported the bill; and one of them in the State of Arkansas, represented by the gentleman from Arkansas [Mr. ROBINSON], on the committee which reported the bill. It is a strange thing that the only places they are needed are in the districts represented by gentlemen who are on the committee. [Laughter.]

Mr. HOUSTON. Mr. Speaker, there is no member of the committee from the State of Tennessee, I would say to the gentleman.

The SPEAKER. Is there objection?

Mr. LAFFERTY. Mr. Speaker, I will ask the gentleman from Pennsylvania to withhold his objection for a moment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I will withhold my objection.

Mr. LAFFERTY. Mr. Speaker, the largest item in this bill is for $50,000 for two hatcheries in the State of Oregon. No Member from that State is on the committee, and I just merely wish to say that the Bureau of Fisheries of the Department of Commerce and Labor has investigated the question, and, so far as Oregon is concerned, has reported that if an act be passed by Congress giving to the National Bureau of Fisheries authority to control not only the young fish hatched in the Federal hatcheries but also the fish hatched in the hatcheries of the State of Oregon, they can double the output of salmon in the Columbia River Basin inside of five years.

Mr. MANN. Why does not the State of Oregon do it? Why does not that State establish a fish hatchery? If it can do that it would be worth millions of dollars to Oregon.

Mr. LAFFERTY. Yes; and that is exactly what I was going to say—that the State of Oregon and the State of Washington in the past four years have appropriated $327,000 for fish hatcheries. They are in full operation now, and the Federal experts who are out there say they would very much like to have the following amendment tacked onto this bill:

Provided, That before any final steps shall have been taken for the construction of a fish hatching and cultural station in accordance with this act the States herein named, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and culture and all operations connected therewith, in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery shall be discontinued whenever the State ceases to accord the right referred to in the preceding proviso, and may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

Mr. CANNON. Does the gentleman claim that the United States may not establish fish hatcheries in all of the navigable waters of the United States?

Mr. LAFFERTY. The United States has a perfect right to establish fish-cultural stations, as I understand it, but by this law proposed by the Department of Commerce and Labor they also seek to acquire the right to protect the young fish hatched in the State hatcheries.

Mr. MOORE of Pennsylvania. Are there any navigable waters in the first district of Nebraska which is proposed to be given a fish hatchery in this bill

Mr. LAFFERTY. I presume there are, but I am not in position to present the claims of any district except my own in the State of Oregon. The salmon output there amounts to $2,500,000 a year.

Mr. MOORE of Pennsylvania. Does not the gentleman think that that amount of money could be used to better advantage in hatching some young men to go out on the farms of this country?

Mr. LAFFERTY. I have no doubt that the course the gentleman suggests would be a very good system of conservation.

Mr. MOORE of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. The bill will be stricken from the Calendar for Unanimous Consent.

RESTRICTION OF ADMISSION OF ALIENS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22527) to further restrict the admission of aliens into the United States.

The SPEAKER. Is there objection?

Mr. BURLESON. Mr. Speaker, I object.

The SPEAKER. The bill will be stricken from the calendar.

HOMESTEAD ALLOTMENTS TO CHOCTAW AND CHICKASAW INDIANS IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25507) to authorize certain changes in

homestead allotments of the Choctaw and Chickasaw Indians in Oklahoma.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I am under the impression that the gentleman from Oklahoma [Mr. CARTER] asked me to have this bill passed without prejudice. I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks that the bill may be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

LIBRARIES, UNITED STATES COURTS, NORTHERN DISTRICT OF OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4718) to authorize the use of certain unclaimed moneys now in the registries of the United States Circuit Court for the Northern District of Ohio for the improvement of the libraries of the United States courts for said district.

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

The Clerk read as follows:

Be it enacted, etc., That authority be, and the same is hereby, granted to the judges of the Circuit Court of the United States for the Northern District of Ohio to expend, for the enlargement of the libraries of the courts of the United States in the cities of Toledo and Cleveland, the certain unclaimed moneys now in the registries of the circuit court of the United States in said cities, in the amount of $395.61 at Toledo and of $665.66 at Cleveland, being interest accumulations received by the clerk of said court on deposits prior to August, 1907, it being ascertained to be impossible to apportion said moneys to the numerous accounts upon whose aggregation the said interest accrued.

Mr. McCOY. Mr. Speaker, the bill was reported from the Judiciary Committee with amendments. The bill which has now been read by the Clerk is the original bill, and not the bill as reported with amendments. I ask that the Clerk report the amendments.

The Clerk read as follows:

Line 4, page 1, strike out the word "circuit" and insert in lieu thereof the word "district." Line 8, page 1, strike out the word "circuit" and insert in lieu thereof the word "district." Line 4, page 2, strike out the word "said" and insert in lieu thereof the words "the former circuit." Strike out all after the word "seven," in line 5, page 2, and insert a period.

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

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

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

Mr. CLAYTON. Mr. Speaker, I ask leave to print in the RECORD the letter of Judge Killitts and the letter of Judge Day to the chairman of the Committee on the Judiciary in explanation of this bill, also the report on this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection. [After a pause.] The Chair hears none.

The letters and report are as follows:

CIRCUIT AND DISTRICT COURTS OF UNITED STATES,
NORTHERN DISTRICT OF OHIO, JUDGE'S CHAMBERS,
Cleveland, Ohio, December 20, 1911.

Hon. H. D. CLAYTON,
House of Representatives, Washington, D. C.

SIR: I am interested in the passage of House bill 4718, which provides for the disposition and use of certain unclaimed funds for court libraries for the Federal courts in the northern Ohio jurisdiction. The matter is of no great magnitude, but it is of considerable importance to the bench and bar of this jurisdiction, as we are very much crippled indeed for available funds with which to furnish our libraries.

Respectfully.

WILLIAM L. DAY,
United States District Judge.

CIRCUIT AND DISTRICT COURTS OF THE UNITED STATES,
NORTHERN DISTRICT OF OHIO,
JUDGE'S CHAMBERS,
Toledo, Ohio, June 1, 1911.

Hon. H. D. CLAYTON,
Washington, D. C.

MY DEAR SIR: I beg to call your attention to the bill H. R. 4718, introduced by Mr. ANSBERRY and referred to your committee, and to ask that as soon as the committee's work will permit the bill be taken up.

It is greatly to be desired that the library facilities of the court be increased, and with the limited means at our command for that purpose, coming mostly from voluntary contributions of the bar, this money, if we may have it, is very much desired at the earliest possible moment.

I think Mr. ANSBERRY has a full explanation of the situation in communications from me, if, indeed, he has not already filed them with the committee.

Sincerely, yours,

JOHN M. KILLITTS,
District Judge.

[House Report No. 1131, Sixty-second Congress, second session.]

LIBRARIES, UNITED STATES COURTS, NORTHERN DISTRICT OF OHIO.

Mr. McCOY, from the Committee on the Judiciary, submitted the following report (to accompany H. R. 4718):

The Committee on the Judiciary, having had under consideration the bill (H. R. 4718) to authorize the use of certain unclaimed moneys now in the registry of the United States Circuit Court for the Northern District of Ohio for the improvement of the libraries of the United States courts for said district, report the same back with the recommendation that it be amended as follows, and that as amended the bill do pass.

The object of this bill is to authorize the application of certain unclaimed moneys now in the registries of the United States courts in the cities of Toledo and Cleveland, Ohio, to the enlargement of the libraries of said courts in those cities.

Prior to August, 1907, it was the custom of the clerk of the Circuit Court of the United States for the Northern District of Ohio, as moneys were deposited with him to secure costs and for other purposes, including his own fees, to place them in a bank in a checking account, and as these deposits accumulated in such account beyond the current necessities of the office, from time to time to take out the surplus and deposit it on interest-bearing certificates. In August, 1907, the clerk was advised that the practice followed by him was improper and that it should be discontinued. The clerk, however, is not deserving of any opprobrium, as he was induced by a consideration of economy to follow this course. As a result of this system the interest accumulations from such funds amounted to the sum of $395.61, for the court at Toledo, Ohio, and $665.66 for the court at Cleveland, Ohio. As has already been stated, there was commingled in the funds from which these interest accumulations were derived, moneys belonging to litigants, fees of the clerk himself, and other court funds. It has taken the aggregation of these court deposits, fees, etc., to earn these interest accumulations. The small aggregate amount of the funds, and the large number of items, make it impracticable, if not impossible, to ascertain what amount of interest would belong to any particular person, so that it might be paid to any such person.

It appears, then, that the aggregate amount of these interest accumulations—$1,061.27—is funds unclaimed and unappropriated to any specific purpose. The object of the bill, to apply these moneys to the enlargement of the libraries of the courts of the United States in the cities of Toledo and Cleveland, respectively, seems to your committee, therefore, to possess such merit as to warrant its passage.

HOURS-OF-SERVICE ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26023) to amend section 2 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman withhold his objection for five minutes?

Mr. MANN. I will be very glad to withhold for five minutes if the gentleman will be satisfied, and my only reason for objecting is because of the length of the calendar.

Mr. MARTIN of Colorado. Mr. Speaker, I have defended at considerable length three bills this afternoon which have been objected off the Unanimous Consent Calendar by the gentleman from Illinois, bills which were not mine. This is my bill; a bill in which I am very much interested; a bill in which 60,000 men are very much interested; a bill in which every man, woman, and child who risks life and limb by traveling upon the trains of the United States is very much interested, and if the gentleman wants to object this bill off the Unanimous Consent Calendar, he may do so. I do not know that I need explain or defend it——

Mr. MANN. Well, do not do it.

Mr. MARTIN of Colorado. I will say this, however, that the Fifty-ninth Congress, recognizing the necessity for legislation for regulating the hours of labor on railroads of certain classes of railroad employees, particularly of engine and train men, train dispatchers, and operators, the employees, particularly to whose clear heads and firm nerves are intrusted the safety of millions of people traveling upon the railways, passed a bill limiting the hours of telegraph operators to 9 hours in case of an office operated continuously, night and day, and 13 hours in offices operating only in the daytime. The intention of that legislation, I believe, was good, and the men who drafted the provisions were honest, but it has developed in practice to be exceedingly faulty and so defective as to be practically worthless. The 9-hour day may be made into the 13-hour day 3 days in the week, and the 13-hour day may be made into a 17-hour day 3 days in the week, but in addition to that the legislation does not provide that the hours of labor shall be continuous, so that the railroad companies have done something that I defy any Member to say was ever contemplated or dreamed of by the framers of that legislation, to wit, that the 9-hour and the 13-hour period may be divided into different shifts, so that a man can be worked 3 hours and laid off 3 hours and worked 3 hours and laid off 3 hours and so on until he consumed the 9 hours; and the Supreme Court of the United States has sustained that construction. There are other grievances which I have not time to go into now.

The telegraphers ask, and I think the conditions attached to that service demand, for the public welfare, that they be placed upon an eight-hour day, so I introduced a bill into this House, H. R. 25040, providing a straight eight-hour day for telegraphers, whether they work in the daytime or the nighttime or any other time. Hearings were had on that bill, and I want to call the attention of gentlemen to the fact that three days were

spent by the Committee on Interstate and Foreign Commerce in listening to the representatives of 30 of the great railways and 10 electric railways of this country. I drafted the bill and I conducted the examination. I am a practical railroad man myself. I am proud of the fact that I am the first member of the Brotherhood of Locomotive Firemen who has had the honor of being elected to Congress [applause], so I know, from their standpoint, what I am talking about and I know something from the roads' standpoint; and being something of a lawyer, I know somewhat from a legal standpoint, and I want to say to gentlemen that, being actuated by a desire to be entirely fair, I amended that bill, reintroduced it, it was again unanimously reported by the Committee on Interstate and Foreign Commerce, of which I have the honor to be a member, and, I think, I cured every objection raised to the original bill by the railway representatives, save one.

Every objection was cured, save the objection to the eight-hour day, and, gentlemen, that objection is fundamental and it is one that we do not undertake to meet; and it is one, so far as I am concerned, that I never propose to meet on any other basis than an eight-hour day. I am for the eight-hour day for every wage earner who eats bread in the sweat of his face, I do not care what his employment may be. I know from the experience of long years at hard manual labor that in eight hours a man can give all and the best that is in him; and I hope that in the progress of our civilization the time will soon come that no man who has to work for a living, I do not care what it may be, will have to work more than eight hours a day.

The SPEAKER. The time of the gentleman from Colorado [Mr. MARTIN] has expired.

Mr. MARTIN of Colorado. I promised the gentleman from Illinois not to take any more time, and unless the gentleman volunteers to give me two or three minutes more, I shall not ask for it. [Laughter.]

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I love to hear the gentleman talk. I have had more or less to do with legislation concerning the hours of labor on railroads and on railroad safety-appliance legislation. The bill that was passed in reference to telegraphers, included in another hours-labor bill, was one that was prepared by the gentleman from Missouri, then a Member of the House, Mr. Murphy. He had been a telegrapher, he had had experience as a legislator, he was a lawyer, and filling all of the distinguished positions filled by the gentleman from Colorado [Mr. MARTIN]. He prepared a bill at the time that I did not know what was meant. He, like the gentleman from Colorado, insisted I was standing in the way of laboring men.

Mr. MARTIN of Colorado. It will not take me long to tell what my bill means.

Mr. MANN. No one can tell what the gentleman means.

Mr. MARTIN of Colorado. Point out something in it and see if I do not know what it means.

Mr. MANN. Before I approve of the bill I will consult with some of the gentlemen to whom the bill will apply.

Mr. MARTIN of Colorado. Has not some of the gentleman's legislation run up against the Supreme Court before it was known how it would apply?

Mr. MANN. I will say that I have had the distinguished honor of being in this House 14 years, and have reported in as many bills as any other gentleman, and had charge of them, and up to date—I do not know how long it will last—no bill that I have introduced has met the scrutiny of the Supreme Court without approval. This is more than can be said about these half-baked propositions. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. MARTIN of Colorado. It is too bad that Capt. Coghlan is not alive to revise Hoch der Kaiser and bring "Meinself und Gott" down to date and make it the gentleman from Illinois. "Mr. MANN und Gott." [Laughter.]

Under leave granted I insert the report of the Committee on Interstate and Foreign Commerce on this bill:

[House Report No. 1141, Sixty-second Congress, second session.]

HOURS-OF-SERVICE ACT.

Mr. MARTIN of Colorado, from the Committee on Interstate and Foreign Commerce, submitted the following report, to accompany H. R. 26023:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 26023) to amend section 2 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, having considered the same, report it with the recommendation that it do pass.

This bill is reported in lieu of H. R. 18969 and H. R. 24040, both by Mr. MARTIN of Colorado. Hearings were had upon H. R. 25040 of the representatives of the steam and the interurban electric railways and of the railway telegraphers, as the result of which certain amendments were recommended by the subcommittee having the bill in charge and are embodied in H. R. 26023, which reads as follows:

[H. R. 26023, Sixty-second Congress, second session.]

A bill to amend section 2 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

Be it enacted, etc., That section 2 of an act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That it shall be unlawful for any common carrier, its officers or agents, subject to this act to require or permit any employee subject to this act to be or remain on duty for a longer period than 16 consecutive hours, and whenever any such employee of such common carrier shall have been continuously on duty for 16 hours he shall be relieved and not required or permitted again to go on duty until he has had at least 10 consecutive hours off duty, and no such employee who has been on duty 16 hours in the aggregate in any 24-hour period shall be required or permitted to continue or again go on duty without having had at least 8 consecutive hours off duty: *Provided*, That no employee who, by the use of the telegraph or telephone or other electrical device dispatches, reports, transmits, receives, or delivers orders, or who from towers, offices, places, and stations operates signals or switches or similar mechanical devices controlling, pertaining to, or affecting the movement of trains of more than two cars shall be required or permitted to be or remain on duty in any 24-hour period for a longer period than 8 hours, which period of 8 hours shall be wholly within the limits of a continuous shift, and upon the completion of which period such employee shall not be required or permitted to again go on duty until the expiration of 16 hours. This proviso shall not apply to employees who in case of emergency use the telephone to obtain orders or information governing the movement of trains."

Nothing in this act shall be held to affect or abate any violation of the act hereby amended or any suit or action pending because of such violatioin at the time of the approval of this act.

THE HOURS-OF-SERVICE ACT—ITS DEFECTS.

The hours-of-service act, as it is popularly called, applies to two classes of railway employees:

Employees who move trains, such as engine and train men, etc., and employees who direct the movement of trains, such as train dispatchers, operators, tower men, interlocking switchmen, etc.

Provision is made for both classes of employees in section 2 of the act, the provision relating to train dispatchers and operators, etc., being found in a proviso inserted therein during the course of the passage of the act through the Fifty-ninth Congress. As that part of the section relating to engine and train men is unamended by the pending bill, reference will be made only to the proviso.

Under the proviso as it now stands, operators in day offices may be worked a period of 13 hours in each 24 hours and in day and night offices a period of 9 hours in 24 hours. Either of these classes may be worked four additional hours per day on not exceeding three days per week. Owing to the failure of Congress to make consecutive the hours on and off duty of these employees, as in the case of engine and train men, many railways have divided the daily period of labor into two shifts, so that, for instance, an operator may be on duty six hours, then off three hours, then on again three hours. Examples might be multiplied indefinitely. This practice was upheld by the Supreme Court of the United States in the case of the United States *v.* The Atchison, Topeka & Santa Fe Railway Co. (220 U. S., 37). As the opinion in that case is brief, it is herewith submitted:

"This is an action to recover penalties for violation of the 'act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon' March 4, 1907 (ch. 2939, secs. 2, 3, 34 Stat., 1415, 1416). The Government had a verdict in the district court, subject to exceptions, and the judgment was reversed by the circuit court of appeals (177 Fed. Rep., 114; 100 C. C. A., 534).

"The case is this: By section 2 it is made unlawful for common carriers subject to the act to permit any employee subject to the act to be on duty 'for a longer period than 16 consecutive hours,' or after that period to go on duty again until he has had at least 10 consecutive hours off duty or 8 hours after 16 hours' work in the aggregate: *Provided*, That no telegraph operator and the like shall be permitted to be 'on duty for a longer period than 9 hours in any 24-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than 13 hours in all towers, offices, places, and stations operated only during the daytime,' with immaterial exceptions. By section 3 there is a penalty of not exceeding $500 for each violation of section 2. The defendant was subject to the act. It had a station and telegraph office at Corwith, in the outer limits of Chicago, which was shut from 12 to 3 by day and by night but open the rest of the time. The Government contends that this was a place 'continuously operated night and day.' At this station the same telegraph operator was employed from half past 6 o'clock in the morning until 12, and again from 3 p. m. to half past 6, or 9 hours in all of actual work. The Government contends that when 9 hours have passed from the moment of beginning work the statute allows no more labor within 24 hours from the same time, even though the 9 hours have not all of them been spent in work. According to the Government's argument the operator's nine hours expired at half past 3 in the afternoon. These questions on the construction of the statute are the only ones that we have to decide.

"We are of opinion that the Government's argument can not be sustained, even if it be conceded that Corwith was a place continuously operated night and day, as there are strong reasons for admitting. The antithesis is between places continuously operated night and day and places operated only during the daytime. We think that the Government is right in saying that the proviso is meant to deal with all offices, and if so, we should go further than otherwise we might in holding offices not operated only during the daytime as falling under the other head. A trifling interruption would not be considered, and it is possible that even three hours by night and three hours by day would not exclude the office from all operation of the law, and to that extent defeat what we believe was its intent.

"But if we concede the Government's first proposition it is impossible to extract the requirement of 15 hours' continuous leisure from the words of the statute by grammatical construction alone. The proviso does not say 9 'consecutive' hours, as was said in the earlier part of the section, and if it had said so, or even 'for a longer period than a period of 9 consecutive hours,' still the defendant's conduct would not have contravened the literal meaning of the words. A man employed for 6 hours and then, after an interval, for 3 in the same 24 is not employed for a longer period than 9 consecutive hours. Indeed, the

word 'consecutive' was struck out when the bill was under discussion on the suggestion that otherwise a man might be worked for a second 9 hours after an interval of half an hour. In order to bring about the effect contended for, it would have been necessary to add, as the section does add in the earlier part, a provision for the required number of consecutive hours off duty. The presence of such a provision in the one part and its absence in the other is an argument against reading it as implied. The Government suggests that if it is not implied a man might be set to work for 2 hours on and 2 hours off alternately. This hardly is a practical suggestion. We see no reason to suppose that Congress meant more than it said. On the contrary, the reason for striking out the word 'consecutive' in the proviso given, as we have mentioned, when the bill was under discussion and the alternative reference in section 2 to '16 hours in the aggregate' show that the obvious possibility of two periods of service in the same 24 hours was before the mind of Congress, and that there was no oversight in the choice of words.

"Judgment of circuit court of appeals affirmed."

The committee believes that it was not the intent of Congress that the 9 and 13 hour days, with privilege of making these 13 and 17 hour days on three days in each week, were to be still further extended in the manner above shown, but all doubt is removed by the proposed amendment, which provides that the hours, both on and off duty, shall be continuous. While it is true that Congress, by the omission of the word "consecutive" in the telegraphers' proviso, when it is to be found in the provision relating to train and engine men, gives color to the contention of the Supreme Court that Congress intended that the operator's period of employment should be divided in the manner mentioned in the above case, room for argument to the contrary is to be found in the fact that the words "in the aggregate," inserted by the Senate in the telegraphers' proviso, were afterwards striken from the bill and do not appear in the act as it now stands. Such action would indicate that the omission of the word "consecutive" was an oversight, and that when Congress struck out the words which were intended to permit of a division of the daily period of labor, it at least negatively expressed the intent that the working period should be continuous. However, the practice complained of, and which has been a source of friction, will not be permissible under the proposed amendment.

STRAIGHT 8-HOUR DAY PROPOSED.

The proposed law abolishes the present statutory classification of offices, with their 9 and 13 hour days, respectively, and provides a straight 8-hour day for all employees embraced by the proviso. Between fifty and sixty thousand employees are affected by the proviso, approximately one-half of whom are already, by the regulations of the railway companies or by agreement between the companies and their employees, on the 8-hour basis, and it is not disputed that the great majority of the remaining employees enjoy shorter hours of labor than are provided by law; so that the enactment of the 8-hour day is only applying the standard to all employees performing substantially the same highly important and responsible duty.

To clearly indicate the changes proposed to be made by the pending bill, H. R. 26023, there are here set out:

THE EXISTING PROVISO.

Provided, That no operator, train dispatcher, or other employee who, by the use of the telegraph or telephone, dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements shall be required or permitted to be or remain on duty for a longer period than 9 hours in any 24-hour period in all towers, offices, places, and stations continuously operated night and day, nor for a longer period than 13 hours in all towers, offices, places, and stations operated only during the daytime, except in case of emergency, when the employees named in this proviso may be permitted to be and remain on duty for 4 additional hours in a 24-hour period on not exceeding three days in any week.

THE PENDING PROVISO.

Provided, That no employee who, by the use of the telegraph or telephone or other electrical device, dispatches, reports, transmits, receives, or delivers orders, or who from towers, offices, places, and stations operates signals or switches or similar mechanical devices controlling, pertaining to, or affecting the movement of trains of more than two cars shall be required or permitted to be or remain on duty in any 24-hour period for a longer period than 8 hours, which period of 8 hours shall be wholly within the limits of a continuous shift, and upon the completion of which period such employees shall not be required or permitted to again go on duty until the expiration of 16 hours. This proviso shall not apply to employees who in case of emergency use the telephone to obtain orders or information governing the movement of trains.

The first material difference between the existing and the proposed law is to be found in the phrase on page 2, lines 15, 16, and 17, "or who from towers, offices, places, and stations, operates signals, switches, or similar mechanical devices." Inventions and improvements in train control and operation multiply so rapidly that much of this work is done by means of devices which are not used in connection with the telegraph or the telephone, and one road may be using devices to direct and control train movements which are not known to or used by other roads. Men in towers operate the levers for 12 hours under oral orders from other men at the telephone, etc. All employees performing such highly responsible duty by whatever method human ingenuity may devise, should be clearly placed upon the 8-hour basis. Train accidents due to the errors of dispatchers, operators, and signalmen, whose brains were drowsy, or nerves unstrung, or who were otherwise derelict because of long hours on duty and lack of sleep, caused Congress to undertake the regulation of the hours of these employees in the first place. Experience has shown that there are numbers of employees who are but arms and fingers, as it were, of the dispatcher, the operator, and the signalman, whose inclusion in the law is a matter of dispute, but who, for the same reasons moving the regulation of the hours of train dispatchers and operators, ought to be included.

This situation may be illustrated by the case of The United States *v.* The Cleveland, Cincinnati & St. Louis Railway Co. in the United States District Court for the Southern District of Ohio, Eastern Division, in which the court, in an oral decision rendered December 12, 1911, decided that certain switchmen who threw switches upon telephonic information received at a telephone station in the yards, were within the law. The railway company excepted to the ruling of the court, and the case is now probably pending on appeal. Such instances might be multiplied. Why these employees, though they were merely throwing switches, are and should be within the hours-of-service act, is very clearly and succinctly stated by the Hon. Howard R. Hollister, the judge of said court, in the following paragraph:

"If you consider the purpose of the statute, which was to secure, so far as practicable, alertness and activity of mind and wakefulness upon the part of the employees on the railroad engaged in such service, it would seem that, if there was any doubt about the language of the statute, yet if, in the operation of trains at this point, an accident could happen by reason of the exhausted or tired condition of the switchmen in charge, in mind or body, or both, it was just such a case as the Congress had in mind."

Some roads now have a system of signal boards operated wholly by sight. There is no telegraphic or telephonic communication. The man in charge of a board ascertains from the position of the next board which is in sight whether the block over which he has control is open or closed, and operates his board accordingly, holding trains and letting them in and out of the block. One leading railway operates largely by means of electric bells. To meet this latter condition, the words "or other electrical device" have been inserted on page 2, line 14, after the words "telegraph or telephone"; but to cover the entire situation, the phrase "or who from towers, offices, places, and stations operates signals or switches or similar mechanical devices" has been added to the law.

USE OF TELEPHONE BY CONDUCTORS.

The next material change and one which, as the provisions stood at the time of the hearings, was strongly objected to by the railway companies was its application to conductors out on the road who found it necessary to make use of the telephone at passing tracks or blind sidings where there is no operator. It was testified by the railway representatives that this use of the telephone by the conductor was emergency in character and that it was not practical, or at least it was not the practice, to regularly order the movement of trains by direct communication between the dispatcher and the conductor. On many roads the telephone has replaced the telegraph in whole or in part, but the train orders are received by telephone operators, reduced to writing, and delivered to the conductor as in the case of telegrams. On many roads there is a small per cent of sidings where trains may meet and pass at which a telephone is installed without an operator. Trains may find themselves at such places and may be unable to proceed by reason of the failure of opposing trains or other difficulty somewhere along the line. In such case the conductor goes to the telephone booth, calls up the dispatcher, and gets orders enabling the train to proceed.

It is complained by the telegraphers that the hours-of-service act led to the abolition of many small telegraph stations and the installation thereat of the telephone without an operator, and this complaint appears to be well founded. Also many telegraph stations were closed and abolished altogether.

It is not desirable to merge the duties of conductor and operator. Scientific and expeditious train movement and the maximum of safety will be attained by maintaining separate and distinct classes of employees to direct the movement of trains and to move trains, even though the means of communication should become so perfected as to make it practicable to equip the train with apparatus for direct communication between the dispatcher and the train. One railway representative hazarded the suggestion that to so frame an hours-of-service regulation as to subject conductors who receive train orders to the hours governing dispatchers and operators would be considered by the courts such a burdensome restriction upon the hours of service of employees whose duties would enable them without hardship or danger to work the longer hours as to cause the act to be declared invalid. On the contrary, it may be said that the receiving and correct transcribing and understanding of orders affecting train movements involve such enormous responsibilities and call for such clearness and singleness of mind as to brook no such division of attention and multiplication of duties as is sought to be attained by some of the carriers; and it may be suggested that when terrible accidents result, as they assuredly will in cases where one employee has too many irons in the fire, the courts will rather be constrained to the view that even shorter hours might be wisely prescribed for the employee who has to both move and direct the movement of his train.

The present practice is, however, as stated, almost purely an emergency aid in the movement of trains, and it is not desired, where the use of the telephone is of this character, to apply the eight-hour day to trainmen, and accordingly, when H. R. 25040 was recast into the pending bill, H. R. 26023, the following provision was added:

"This proviso shall not apply to employees who in case of emergency use the telephone to obtain orders or information governing the movement of trains."

It was stated by the railway representatives at the hearings that the trainmen themselves would object to having the shorter hours of the operators apply because of this use of the telephone, but it may be noted that in May of this year a hearing was had by the Interstate Commerce Commission, decision not yet rendered, at which the representatives of all of the railway labor organizations and of some 60 railway companies appeared, the former contending and the latter denying that the present nine-hour period in the hours-of-service act applies to conductors who receive train orders by telephone. (Hearing on H. R. 25040, pp. 106–107.)

Also, the practice of railroad companies directing the movement of trains by telephonic communication between the dispatcher and conductor has been condemned by the general organizations of railroad engineers, conductors, and telegraphers. (Hearings on H. R. 25040, pp. 104–107.)

THE TEST—WHETHER EMERGENCY OR SUPPLEMENTAL.

It is believed that the bill permits the use of the telephone as far as it can be properly and safely done under present conditions. The true test should be whether the practice in question is emergency or whether it is supplemental. As a practical question, it is difficult to see how the practice can be denominated emergency in cases where trains are directed to meet, pass, or wait for other trains at these blind sidings. In such cases the practice would appear to be supplemental and not emergency. If the carriers are to be permitted to recognize these blind sidings on their time-table schedules and train orders, and, in fact, treat them in every respect as regular meeting points except for the absence of an operator at the telephone, it will be seen that the present so-called emergency use of the telephone may continue to grow and displace telegraph and telephone operators and impose this responsible duty to such an extent upon trainmen as to force Congress to still further legislate upon the subject. It is to be hoped that in cases where the practice appears to be supplemental rather than emergency the eight-hour law will be enforced. Its enforcement will not, as claimed by the railway

representatives, result in placing the trainmen under the eight-hour day, but will result in placing operators in these telephone booths where needed, and the restriction of its use by the conductor to cases of unusual delay, unforeseen failure, and similar causes. While both the carriers and the public are to be considered, as well as the employees, the action of the latter, both by resolutions adopted by their organizations and by their appearance before the Interstate Commerce Commission, as already noted, is significant of their belief that much of the practice complained of is supplemental and not emergency, and Congress may as well take notice that future consideration of this subject will be required.

OBJECTION TO THE 8-HOUR DAY.

Substantially all other objections to the original bill (H. R. 25040), upon which the hearings were had, have been met in the pending bill (H. R. 26023), except the objection that the 8-hour day will necessitate an increase in the number of employees by reason of the fact that two men will have to be put on at many of the day offices where now only one man is employed, and that three-man shifts will also have to replace the two-man shifts now in effect at many of the night and day offices. The committee has made no attempt to met this objection, but rests upon the proposition that 8 hours per day is sufficient for any employee charged with the duty of dispatching and operating trains, including the various clases of tower and signal men. No general law can be devised to nicely fit all conditions. The growing complexity of the means of directing and controlling train movements renders it difficult to frame a law to specifically take in every employee who ought to go in without taking in some who might equitably stay out, or to specifically exempt every condition that might equitably go out without exempting conditions that ought to stay in. As already stated, one-half of all such railway employees in the United States are already on the 8-hour basis, and they are there for reasons which point the duty of Congress to place all such employees upon that basis.

8-HOUR SHIFTS PRACTICABLE.

The railroad representatives argued before the committee that it would be impossible to effect the change of shifts between train dispatchers under the 8-hour day; that certain transfer work is necessary at each change of shifts which would cause the employee coming on duty to appear ahead of time or the employee going off duty to remain overtime, or both, and that this necessary transfer work would be in violation of law. Their attention was called to the fact that the State of New Yorw has an 8-hour law governing train dispatchers, operators, etc., which law was declared constitutional by the court of appeals and was in operation for several years prior to decisions of the Supreme Court of the United States whereby the Federal hours-of-service law is held to supersede all State laws, a number of which have the 8-hour day for telegraphers, thus rendering it all the more imperative that Congress shall not stand in the way of this beneficent reform. The committee do not believe there is anything practical in the objection that changes and transfers of shifts can not be made under the proposed law and submit that this is a feature that will be readily adjusted.

In this connection it may be added that the minority members of the Interstate Commerce Committee, at the time of the passage of the present hours-of-service act (and including the present chairman and ranking majority member of the committee), thus criticized the telegraphers' provision:

"That provision should have been further improved by fixing the hours at 8 and 12 instead of 9 and 13, respectively." (Rept. No. 7641, 59th Cong., 2d sess., p. 10.)

THE INTERSTATE INTERURBAN ELECTRICAL LINES.

The interstate interurban electrical railway is a fairly new institution, having grown up since the enactment of the great body of interstate-commerce law. While these laws clearly attach to these interstate electrical roads, the issue appears not to have been raised in its entirety as yet before Congress, the Interstate Commerce Commission, or the courts. With the continued and rapid growth of these lines, the issue will no doubt soon fully present itself. It is not the desire of your committee to encumber the proposed amendment to the hours-of-service act by including these electric lines, nor to impose any undue burden upon them, and to avoid these results as far as practicable the act is limited to trains of more than two cars.

The electric-road representatives all testified that their lines usually operate one and two car trains, and that the communication of train orders is directly effected between the dispatcher and the employees on the car or train. There are no operators or other employees intervening between the dispatcher and motorman or conductor. Telephone stations are between 2 and 3 miles apart on most of these lines, and some of them have in addition, at intervals of only 2,000 feet, what are known as jack boxes, which are telephone boxes attached to posts right alongside the track. The electric-road representatives claim that the cost of installing operators at all telephones, or where such telephones must be maintained, would be prohibitive, and that such operators are not a practical necessity for the safe and expeditious operation of their cars. The claims in behalf of the electric roads are somewhat discounted by the statistics in the Twenty-fifth Annual Report of the Interstate Commerce Commission, at page 77, showing that for the year ending June 30, 1911, there were killed in steam-road accidents 142 passengers and in electric-road accidents 75 passengers; that is to say, with only one-twentieth the mileage of the steam roads the electric roads killed more than one-half as many passengers.

An express exemption of the electric roads being of doubtful validity, the committee favored in lieu thereof the limitation above suggested, which, of course, is applicable to all roads, and yet, by reasons of the size of trains on steam roads, will not let out any employees who ought to be included. If, as stated at the hearings by electric-road representatives, these lines are now beginning to operate trains of three or more cars and carrying sleeping cars and doing a freight traffic, they ought to be made to comply with all the safeguards thrown by the law about travel upon steam roads.

EXEMPTIONS.

The remaining change meriting mention is the omission from the proviso as it now stands in the law of the words "except in case of emergency." This provision is omitted for the reason that it is believed that the general exceptions applying to the entire act, and which are to be found in section 3, are sufficient. These exceptions follow:

"*Provided*, That the provisions of this act shall not apply in case of casualty or unavoidable accident or the act of God."

To permit such a broad, indefinite exemption as is afforded by the use of the term "emergency," is to court abuses and violations of the act. "Casualty" is a term of fairly fixed legal meaning and definition, at least sufficiently so to enable the Interstate Commerce Commission to enumerate among the many causes assigned by the carriers as justifying excess service, but which the commission says do not appear to it to be within the category of "casualty or unavoidable accident or the act of God," the following: "Hot boxes," "couplers pulled out," "leaky flues," "no steam," "poor coal," "air-pump failures," etc. But little hardship should flow from the elimination of a term which harmonizes the application of the law to both general classes of employees embraced within it. There has been sufficient dissatisfaction over the presence of this special exception in the telegraphers' proviso to cause their representatives in the measure drafted by them, and which is embodied in H. R. 18969, to limit the exceptions to "grave emergencies." As this, too, is a term of uncertain meaning, it is thought the better practice to eliminate this special exception altogether.

SUPPLEMENTAL STATEMENT OF MR. MARTIN—GENERAL EIGHT-HOUR DAY.

The foregoing report endeavors to fairly set forth the views of the committee upon the proper hours of service of the class of employees affected, but does not undertake to express the views of the committee or its individual members upon the subject of the proper hours of service of other classes of railway employees. In other words, it must not be inferred that because care has been taken to limit the application of the proposed amendment to employees engaged in directing the movement of trains, therefore, by negative inference, the committee or its individual members would not favor shorter hours or the 8-hour day for any or all other classes of railway employees. The pending bill simply proposes to amend an existing law governing the hours of service of this particular class of railway employees, and neither the author of the bill nor the committee wished to complicate it by enlarging the scope of its application.

The author of the bill and writer of the report is avowedly in favor of the 8-hour day for every wage earner, without exception. He learned by actual experience, through long years at hard labor, that the human body can give all and the best that is in it in not to exceed 8 hours. He learned that 10 hours of unremitting toil is too long, even at ordinary manual occupations. He knows that as a factor in the joy of living the short workday ranks with the good day's pay. These are twin blessings that put a song in the heart of labor and that rob daily toil of the dread aspect of the treadmill, looking only for the night and forgetfulness. He would put not only a maximum to the hours of labor, but a minimum to the rate of pay. And in the rapid progress of labor toward industrial freedom he ventures the prediction that these and other helps to human happiness will soon be something more than the substance of things hoped for.

CORVALLIS AND YAQUINA BAY MILITARY ROAD.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to recur to the bill H. R. 8151, a bill providing for the adjustment of the grant of lands in aid of the construction of the Corvallis and Yaquina Bay military wagon road, and of conflicting claims to lands within limits of said grant.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 8151) providing for the adjustment of the grant of lands in aid of the construction of the Corvallis and Yaquina Bay military wagon road, and of conflicting claims to lands within the limits of said grant.

Mr. MANN. Mr. Speaker, reserving the right to object, I ask unanimous consent that the amendment be reported in lieu of the bill.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to cause patents to be issued conveying to the administrator of the estate of T. Egenton Hogg 1,848.84 acres, as near as may be, of unreserved, unoccupied, nonmineral, surveyed lands of the United States subject to homestead entry.

"SEC. 2. The said administrator of the estate of T. Egenton Hogg shall have a period of one year after the passage of this act within which to file with the Secretary of the Interior a list of the lands selected by him in accordance with the provisions of this act. And if any of the lands so selected should be rejected by the Secretary of the Interior as not being of the character of lands described in this act, said administrator shall have six months after said adverse decision or decisions within which to make another selection. And that such patents shall issue only upon satisfactory proof to the Secretary of the Interior that the Corvallis and Yaquina Bay Wagon Road Co., prior to the death of the said T. Egenton Hogg, conveyed to him its right and interest in and to all lands earned by the company under the act of Congress approved July 4, 1866, entitled 'An act granting lands to the State of Oregon to aid in the construction of a military road from Corvallis to Yaquina Bay': *Provided*, That lands within national reclamation projects, though they may be subject to homestead entry, shall be considered as reserved, and not subject to the terms of this act."

Mr. BURNETT. Mr. Speaker, I offer the following amendment.

The SPEAKER. Was not that an amendment that was just read?

Mr. BURNETT. Yes.

The SPEAKER. Is this an amendment to that amendment?

Mr. BURNETT. Yes; to come in at the end of the section just read.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Alabama [Mr. BURNETT].

The Clerk read as follows:

Add, at the end of section 2, page 5, the following:

"*Provided further*, That said 1,848.84 acres of land when so patented shall be in lieu of all amounts of land now due under said act of Congress of July 4, 1866, and shall be accepted in full settlement of all claims under said act."

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of the bill if he has any objection to an amendment after the word "States," in page 5, line 2, by the insertion of the words "State of Oregon"?

Mr. BURNETT. In what line?

Mr. MONDELL. Line 2, page 5.

The SPEAKER. Is the gentleman from Wyoming talking about the original bill or about the amendment in the nature of a substitute?

Mr. MONDELL. I am speaking of the substitute. After the words "United States," line 2, page 5, insert the words "State of Oregon."

Mr. BURNETT. I would much prefer that should not be limited.

Mr. MONDELL. I will state to the gentleman that unless he accepts it, it will be my duty to object. I think it was the intention of the committee in reporting the bill that these lands should be confined to the State of Oregon. I think that is the universal practice in bills of this character, to confine the exchange to lands within the State.

Mr. BURNETT. Very well; I will accept that. I see it was in the original bill.

The SPEAKER. Is there objection?

Mr. HAWLEY. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman in charge of the bill, whether, under this bill, the people to be benefited by its provisions would be authorized to institute contests against entrymen on the public lands in any case?

Mr. BURNETT. It says they are unreserved, unoccupied, and nonmineral lands.

Mr. HAWLEY. The gentleman thinks it will not authorize the making of contests?

Mr. BURNETT. It is in accordance with a letter I had at one time and with the recommendation of the Land Office.

Mr. HAWLEY. This land lies in the county in which I was born, in the State of Oregon, and I am acquainted with the facts, and I think it is a very meritorious bill.

The SPEAKER. The question is on the amendment to the substitute. Does the gentleman from Wyoming insist upon that amendment which he offered?

Mr. MONDELL. I do.

Mr. BURNETT. And I agreed to it.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The Clerk read as follows:

Amend, page 5, line 2, by inserting after the words "United States" the words "in the State of Oregon."

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

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

The SPEAKER. The question now is on the amendment offered by the gentleman from Alabama [Mr. BURNETT] to the substitute amendment.

The question was taken, and the amendment offered by Mr. BURNETT was agreed to.

The SPEAKER. The question now is on the substitute as amended.

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

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

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

On motion of Mr. BURNETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

CAST OF HEAD OF STATUE OF JOHN HANCOCK.

The next business on the Calendar for Unanimous Consent was the resolution (H. Con. Res. 58) authorizing Herman Walthauser to make a cast of the head of statue of John Hancock, now located in Senate wing of the Capitol.

The Clerk read the House concurrent resolution, as follows:

House concurrent resolution 58.

Whereas the Society of the Sons of the Revolution of Massachusetts desire to present to that State a bust of John Hancock, and in order to do so it is necessary to obtain a cast from the head of the statue now in the Senate wing of the Capitol, which is the only known statue of Hancock: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That Herman Walthauser, of Boston, Mass., be, and hereby is, authorized to make a cast from the head of the statue of John Hancock now located in the Senate wing of the Capitol.

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

Mr. MANN. Mr. Speaker, I would like to ask the gentleman from Massachusetts [Mr. MCCALL] whether it would not be practicable to procure a copy of the bust or head of John Hancock at the Hancock Restaurant down here on the Avenue?

Mr. MCCALL. This bill was introduced by my colleague [Mr. WEEKS], and I presume he has consulted all supposed busts of John Hancock, and, inasmuch as he is a very good authority, I have no doubt he has located the proper bust.

Mr. MANN. I do not know whether you could get a proper bust of John Hancock at the Hancock Restaurant, but I know that people go there for a bust. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the House concurrent resolution.

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

The SPEAKER. The Clerk will report the next bill.

APPOINTMENT BY THE PRESIDENT OF A MEMBER OF THE NEW JERSEY AND NEW YORK JOINT HARBOR LINE COMMISSION.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 210) authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission.

The Clerk read as follows:

Joint resolution (H. J. Res. 210) authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission.

Whereas the governor of the State of New Jersey, under legislative authority, has appointed three citizens of New Jersey as members of the New Jersey and New York Joint Harbor Line Commission, and the governor of the State of New York, under legislative authority, has appointed three citizens of New York as members of the same joint harbor line commission; and

Whereas the Legislature of the State of New Jersey indicated its wish that the President of the United States should appoint a seventh member of said New Jersey and New York Joint Harbor Line Commission: Therefore be it

Resolved, etc., That the President of the United States be, and is hereby, authorized to designate an Army engineer whose present assignment of duty relates to harbor work in, or in the neighborhood of, New York Harbor to act as a member of the said New Jersey and New York Joint Harbor Line Commission.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I observe that the President is requested to appoint a seventh commissioner to fix these lines.

Mr. TOWNSEND. Yes; and to aid the commission in all other ways.

Mr. MOORE of Pennsylvania. The governor of New Jersey has appointed three?

Mr. TOWNSEND. Yes. The commission as at present constituted consists of six members, three appointed by Gov. Wilson of New Jersey and three by Gov. Dix of New York. The commission was created by resolutions passed by the Legislatures of New York and of New Jersey. The resolution of the New Jersey Legislature, in part creating the commission, requested the President to appoint a member of the Engineer Corps on this commission. Gov. Wilson wrote to the President, asking him to do so, and the President replied that he thought he should have the authority of Congress, and I therefore introduced this resolution on that understanding.

Mr. MOORE of Pennsylvania. It is a general arrangement between the President and the governors?

Mr. TOWNSEND. Yes. I may add that the War Department approves of it highly. The object of this joint commission is to make a study of these harbor lines and the economic administration of the two harbors. Of course the Army engineer having to do with the harbor work in that vicinity would be an admirable adviser and doubtless a most competent member of the commission.

Mr. MOORE of Pennsylvania. I fully agree with the purposes of the bill. If the bill should go through, would the gentleman rather have the seventh commissioner appointed this year or wait until another President is elected?

Mr. TOWNSEND. I would be content to have him appointed by the present occupant of the White House.

The SPEAKER. Is there objection?

Mr. AKIN of New York. I object.

INTERNATIONAL INQUIRY INTO THE HIGH COST OF LIVING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21479) appropriating money to enable the President to propose and invite foreign Governments to participate in an international conference to promote an international inquiry into the causes of the high cost of living throughout the world and to enable the United States to participate in said conference.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of enabling the President to propose and to invite foreign Governments to participate in an international conference for the purpose of considering plans to be sub-

mitted to the various Governments for an international inquiry into the high cost of living, its extent, causes, effects, and possible remedies, and to defray the expenses of preparation for and participation in such conference by the United States, the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended for such purpose under the direction of the President of the United States.

The SPEAKER. Is there objection?

Mr. PAGE. Mr. Speaker, reserving the right to object, I want to give the gentleman from New York a chance to make some remarks, if he has anything to say.

Mr. SULZER. Mr. Speaker, in reply to the gentleman from North Carolina [Mr. PAGE], let me say that this bill, introduced by me, "for an international inquiry into the causes of the high cost of living throughout the world," is a matter of much moment, a meritorious measure, and has the unanimous approval of the Committee on Foreign Affairs.

The bill is substantially backed by the public opinion of America. It should be promptly enacted into law. The world-wide advance in prices of the necessaries of life in recent years, increasing the cost of living, is believed to be the cause of much of the social discontent now prevailing in many of the leading countries of the world, and presents a problem calling for scientific investigation of facts by a body of trained experts.

The leading political economists, business men, commercial bodies, and economic societies of Europe have already placed themselves on record in favor of an international commission to investigate the high cost of living, and a great many of them have expressed the opinion that the United States should take the lead in calling together such a commission.

There is no doubt but that such a commission should be appointed of unprejudiced and impartial persons—experts in fact—to investigate these economic conditions. The increasing cost of living is a matter of much public concern, and the facts in connection with the same should be carefully collated by the best experts in the world as a basis for future intelligent legislative action. There should be no objection to this important legislation from any representative of the people—because it is in the interest of the people. They want this bill to pass, and I indulge the hope that ere long it will be a law.

Mr. PAGE. Mr. Speaker, in the light of information that we have from the commission appointed in recent years to investigate various and sundry subjects, feeling sure that if the high cost of living is not reduced until we get it by this method, I feel constrained to object.

The SPEAKER. The bill will be stricken from the calendar.

THE IMMIGRATION ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19544) to amend section 9 of the immigration act, approved February 20, 1907.

The Clerk read the bill at length.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I ask unanimous consent that the bill may be considered, the committee amendments agreed to, the bill considered as engrossed, read a third time and passed, and the motion to reconsider be entered and laid on the table.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill may be considered, the committee amendments agreed to, the bill considered as engrossed and read a third time and passed, and the motion to reconsider entered and laid on the table. Is there objection?

Mr. RODDENBERY. Reserving the right to object, I want to say that if the gentleman will include in his request unanimous consent that House bill 22527, being a bill to further restrict undesirable immigrants, with the illiteracy test and other important amendments, I shall be glad not to interpose any objection to this request, but if this unanimous consent is to railroad the bill through the House, to help out New York in its penitentiaries and asylums, now overcrowded with aliens, to the neglect of the people of the whole country, so that its vast domain can not be protected against the flood of criminal and diseased immigrants, I shall object.

Mr. MANN. I did not make the request which I did for the purpose of shutting out consideration of the immigration bill, but because it is perfectly patent to anyone with brains—and the gentleman from Georgia has plenty—that the bill will not be considered in the House at this time except under some such arrangement as I suggest, and no one objects to this bill. Now, anyone can object to the consideration of this because they want some other bill to come up which they know will not come up. It is immaterial to me. I was simply trying to get the bill passed with no one objecting to it.

Mr. RODDENBERY. If the gentleman will agree——

Mr. MANN. I make the unanimous request, and the gentleman can do as he pleases.

The SPEAKER. The gentleman from Georgia objects to the request for unanimous consent by the gentleman from Illinois. Is there objection to the present consideration of this bill?

Mr. BARTHOLDT. Reserving the right to object, Mr. Speaker, I want to say that this is a highly meritorious measure and ought to pass this House, but unless I can get an agreement that no amendment will be offered, such an agreement as has been proposed by the gentleman from Illinois, I shall be constrained to object. I ask unanimous consent that no amendment be offered to this bill.

Mr. BURNETT. Mr. Speaker, I would be very glad, indeed, if no objection was offered in this case. It is not only New York that is suffering from the influx of aliens, but a number of other States in the North, and it will not be long before the States in the South will begin to suffer in the same way. I should like to have the amendment suggested by my friend from Georgia incorporated in the bill. I have done my best to secure the passage of that bill, but I do not believe that we would do right in undertaking to put through an amendment that would result in defeating a meritorious proposition as this is. I hope that the gentleman from Missouri will not insist on his objection.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Was the request I made for unanimous consent objected to?

The SPEAKER. It was, by the gentleman from Georgia.

Mr. MANN. Then I object to the consideration of the bill.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, by incorporating a letter from a member of the New York State board of alienists, in reply to criticisms made by the gentleman from Illinois, Judge SABATH.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

NEW JERSEY AND NEW YORK JOINT HARBOR LINE COMMISSION.

Mr. TOWNSEND. Mr. Speaker, I ask unanimous consent to recur to joint resolution 210, authorizing the President to appoint a member of the New Jersey and New York Harbor Line Commission. The objection was made under a misapprehension.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to recur to House joint resolution 210. Is there objection?

There was no objection.

The Clerk read as follows:

House joint resolution 210, authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission.

Whereas the governor of the State of New Jersey, under legislative authority, has appointed three citizens of New Jersey as members of the New Jersey and New York Joint Harbor Line Commission, and the governor of the State of New York, under legislative authority, has appointed three citizens of New York as members of the same Joint Harbor Line Commission; and

Whereas the Legislature of the State of New Jersey indicated its wish that the President of the United States should appoint a seventh member of said New Jersey and New York Joint Harbor Line Commission: Therefore be it

Resolved, etc., That the President of the United States be, and is hereby, authorized to designate an Army engineer whose present assignment of duty relates to harbor work in, or in the neighborhood of, New York Harbor to act as a member of the said New Jersey and New York Joint Harbor Line Commission.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 1, strike out the words "Army engineer" and insert in lieu thereof the words "officer of the Corps of Engineers, United States Army."

Page 2, line 2, strike out the word "present."

Page 2, line 6, after the word "commission," insert:

"*Provided*, That no expense shall accrue to the United States by reason of such appointment, and the officer designated may receive such compensation for his services on said commission as may be provided by the States aforesaid."

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

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution as amended.

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

ALLEGATION AND PROOF OF LOYALTY IN CERTAIN CASES.

The next business on the Calendar for Unanimous Consent, was the bill (H. R. 16314) to amend section 162 of the act to codify,

revise, and amend the laws relating to the judiciary, approved March 3, 1911.

The Clerk read the bill as follows:

Be it enacted, etc., That section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, be amended and reenacted so as to read as follows:

"SEC. 162. The Court of Claims shall have jurisdiction to hear and determine the claims of those whose property was taken subsequent to June 1, 1865, under the provisions of the act of Congress approved March 12, 1863, entitled 'An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States,' and acts amendatory thereof where the property so taken was sold and the net proceeds thereof were placed in the Treasury of the United States; and the Secretary of the Treasury shall return said net proceeds to the owners thereof, on the judgment of said court, and full jurisdiction is given to said court to adjudge said claims, any statutes of limitations to the contrary notwithstanding: *Provided*, That no allegation or proof of loyalty shall be required in the presentation or adjudication of such claims."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. WATKINS. Mr. Speaker, will the gentleman reserve his objection until I can make a statement?

Mr. MANN. Mr. Speaker, I will reserve the objection for a statement, although I shall object at the end of the statement. I reserve the right to object.

Mr. WATKINS. Mr. Speaker, during my seven years of service in this House I have never yet made an objection to the consideration of any matter presented in the House, and in this particular instance if I could get the attention of the gentleman from Illinois [Mr. MANN], I am sure that I can satisfy him that he should not make an objection here and now to this bill. I am talking particularly for the benefit of the gentleman who anticipates making an objection, and who has stated that he will.

During the last session of the Sixty-first Congress, when the Republican side of the House was in the majority, there was an amendment offered to the judicial code bill, the codification of the laws, and it was passed, with that side in the majority. After the passage of this section 162, providing that the people from whom there had been taken cotton, entirely after the cessation of hostilities, after the war was closed, should be reimbursed, it was anticipated there would be no obstacle in the way of those people collecting the amount which has lain dormant in the Treasury for the last 45 years. This is the particular thing to which I direct the gentleman's attention. After that section had been embedded in this codification of the laws bill, the bill was passed. It went through the House and went to the Senate. It went through the Senate with the same condition existing, namely, a Republican majority there. This was considered an act of justice to the people from whom the cotton had been taken. After it had passed both the Republican House and the Republican Senate it went to conference, and in that conference it would have been impossible for the conferees to have agreed if it had not been for the understanding on the part of the Democratic members of that conference that this section 162 would be effective.

The minority ranking member of the Committee on the Revision of the Laws, the gentleman from Pennsylvania [Mr. MOON], said while this bill was up for consideration before the committee that it would be the rankest injustice if the bill should not be favorably reported and passed by this House. He said that it would be wrong to the Members who had been led to believe when that conference agreed upon the final passage of the bill—that it would be a betrayal of confidence and an injustice—if that particular section should not be carried to a successful conclusion and be incorporated in that measure. because of the fact that the Democratic conferees had agreed with the understanding that section 162 would be operative and effective.

Why is it not so? It can not be carried into effect because of the objection of the United States attorney, who has raised a technical objection, because a preceding section—section 159—says that in all cases which are presented before the Court of Claims there must be both an allegation and proof of loyalty. That is purely and simply a technicality. It was understood and contemplated by no one at the time that that objection would be made to the passage of these claims. No one ever thought for a moment that an objection of that kind would be raised. The result of this objection on the part of the United States attorney is to allow those people who came from other sections of the country into the South just after the Civil War to reap the benefits of this section 162, while the widows and the orphans and the poor people who had taken from them all of the cotton that they had in their possession after 1865, whose husbands and parents had been in the war, would be deprived of receiving the benefits of this act, and the speculators, hordes of them, who went down to that section of the country after the war would have the benefit of the proceeds arising from this property which was wrongfully and illegally, as the Supreme Court of the United States says in the Klein case, taken from the people of that section of the country.

In that case the Supreme Court of the United States, in passing upon the question, says that the question of loyalty cuts no figure at all. The question of loyalty is not involved in these cases, because the act of 1863, which was passed allowing this property to be taken, constituted a trust fund on the part of the Government, and the question of loyalty was not involved. But it is said that it becomes involved now because of the fact that the act passed on the 3d of March, 1911, has in it section 159, and that that stands as an obstacle in the way of the allowance of these claims for the benefit of those people whose fathers, whose husbands, and who themselves happened to be upon the side of the South during the war. I hope that the gentleman at this late day, 45 years after the cessation of hostilities, will not raise an objection in the case where it is sought to obviate the necessity of proving loyalty in those claims which arose entirely after the war was over.

I can not conceive that after this lapse of time, I can not conceive that after the passage of the Sherwood bill by a Democratic House, after the name of Jefferson Davis has been restored upon Cabin John Bridge, after the sword of Lee has been sheathed forever and the immortal spirit of Jefferson Davis has taken its eternal flight, after all we have done on the part of the South to try to show that our feelings have at least been mollified, our animosities buried, that the gentleman will now raise an objection to the consideration of a measure simply because it refers to the question of loyalty of those people who had at one time engaged in a conflict, but which relates to a time when the conflict was ended, when the war was over and hostilities had ceased. To do so, it seems to me, would look not only like antagonism in a spirit of partisanship, but of bitterness. I trust that the gentleman will see proper to withdraw his objection in this instance.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, if this bill is passed it will probably take eight or ten millions of dollars out of the Treasury that ought not to be taken out of the Treasury, and it is too important a matter for consideration without discussion, which we can not give it to-day, and I therefore object.

Mr. CANDLER. Will the gentleman withhold for a moment?

Mr. MANN. No; I withheld my objection for a moment and it turned out to be for about 20 minutes. My friend from Mississippi has already made one speech on this subject and I listened to him very attentively, and every moment that we use now means that somebody has to sit here at night, and I am sure it will not be my friend from Mississippi.

Mr. CANDLER. I will stay at night, and I sincerely hope the gentleman will not object. The record will show I am generally here when the House is in session, whether night or day.

Mr. MANN. Well, we will see whether the gentleman will stay. Mr. Speaker, I object.

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 26321), the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, in order that we may expedite action upon the matter.

The SPEAKER. The gentleman from Texas [Mr. BURLESON] asks unanimous consent to take from the Speaker's table the bill H. R. 26321, the legislative, executive, and judicial appropriation bill. The Clerk will report the title.

The Clerk read as follows:

An act (H. R. 26321) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes.

Mr. MANN. Mr. Speaker, reserving the right to object, I ask for information. I understand the Senate has stricken out all after the enacting clause of this bill, which is the legislative appropriation bill, and inserted the language the conferees reported in the legislative bill which was vetoed by the President with the exception of the tenure of office provision.

Mr. BURLESON. Section 5.

Mr. MANN. Section 5 which was left out and a new section 5 inserted. There may be some other changes. I think there was one change in reference to the Commerce Court, inserting a provision inserted by a concurrent resolution.

Mr. BURLESON. The gentleman states the facts correctly. I will state the amendment as it is now in the Clerk's hands sets forth the bill as agreed on in conference with this exception—it strikes out section 5; that is, the seven-year tenure section; adds a penalty to section 4, which was agreed upon in the bill in conference; conforms to the provision abolishing the Commerce Court in accordance with the directions of a concurrent resolution which passed after the conference——

Mr. MANN. Did that concurrent resolution pass?

Mr. BURLESON. It passed the Senate and was messaged to the House.

Mr. MANN. But it did not pass the House.

Mr. BURLESON. It did not pass the House; it passed the Senate and was messaged to the House.

Mr. MANN. I am not going to object on that account, although I notified them they could not pass that resolution in the House by unanimous consent.

Mr. BURLESON. Those are the only two exceptions.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a question?

Mr. BURLESON. Certainly.

Mr. MOORE of Pennsylvania. What about the provision in reference to the State Department?

Mr. BURLESON. It was retained in the bill just as it was originally agreed upon in conference.

Mr. MOORE of Pennsylvania. As I understand it this is exactly the bill as agreed upon in conference except the seven-year tenure clause was stricken out.

Mr. BURLESON. The seven-year clause was stricken out of section 5 and a penalty added to section 4 and a provision relating to the abolition of the Commerce Court is modified in accordance with the concurrent resolution which passed the Senate but did not pass the House.

Mr. NORRIS. What is the difference between the bill now as it came from the Senate regarding the Commerce Court and the bill as vetoed by the President?

Mr. BURLESON. This is added, and this only is added:

All cases pending and undisposed of in said Commerce Court are hereby transferred to and shall be deemed pending in the district court of any of the judicial districts within which the original cause of action brought before the Interstate Commerce Commission arose, such district to be designated by the complainant; and the venue of all suits and proceedings hereafter brought to enforce, set aside, annul, or modify any order of the Interstate Commerce Commission shall be in any of the judicial districts within which the original cause of action brought before the commission arose.

Mr. MANN. I shall not object to the request for two reasons: One is, I think it is extremely desirable to have the bill go to the President as soon as possible in order that we may expedite the close of the session, and the other reason is we will soon have another bill before us covering the same subject matter, to which anyone can have the right to object, discuss, or amend.

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

Mr. BURLESON. Mr. Speaker, I move that the House concur in the Senate amendments.

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

PURE FOOD AND DRUGS ACT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11877) to amend section 8 of the food and drugs act, approved June 30, 1906.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] reserves the right to object.

Mr. MOORE of Pennsylvania. Mr. Speaker, I would like to inquire of the gentleman from Kentucky who introduced this bill, which is a very important measure and one that ought to be passed in corrected form, whether he will agree to an amendment which would cover the printed matter inside the packages or the label? The bill seems to be defective in that respect. I am sorry I did not have opportunity to bring it to the attention of the gentleman, but the papers have just been forwarded to me from my office. It appears that there are cases where the defendant might, under the decision of the Supreme Court and in spite of the amendment suggested by the gentleman from Tennessee, avoid the penalty provided the false statements are not on the outside cover of the package. It is known that in cases of nostrums and patent medicines the statement in regard to the ingredients or therapeutic properties of the article is frequently on the inside of the cover of the package or bottle. I would suggest to the gentleman that it might be well to substitute the words "the label of which shall bear, or the package of which shall bear or contain." The addition of the words "or contain" would be sufficient.

Mr. SHERLEY. I have no objection to the amendment outlined by the gentleman, although I think I can suggest a more concise form for it. The matter that the gentleman brings to the attention of the House had been also spoken of to me by the gentleman from Illinois [Mr. MANN], and while I think a proper construction of the act would perhaps cover the matter, still I see no reason why we should not make the assurance doubly sure. I would have no objection to such amendments.

Mr. MOORE of Pennsylvania. May I offer the amendment, then?

Mr. SHERLEY. Let us get the unanimous consent, and then it will be in order.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I do not object, Mr. Speaker.

The SPEAKER. The Chair hears no objection. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 11877) to amend section 8 of the food and drugs act approved June 30, 1906.

Be it enacted, etc., That that part of section 8 of the food and drugs act of June 30, 1906, defining what shall be misbranding in the case of drugs, be, and the same is hereby, amended by adding thereto a third paragraph to read as follows:

"If its package or label shall bear any statement, design, or device regarding the curative or therapeutic effect of such article which is false and fraudulent."

So that the said part of said section 8 shall read as follows:

"SEC. 8. That the term 'misbranded,' as used herein, shall apply to all drugs or articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substances contained therein which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, or country in which it is manufactured or produced.

"That for the purposes of this act an article shall also be deemed to be misbranded. In case of drugs:

"First. If it be an imitation of or offered for sale under the name of another article.

"Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

"Third. If its package or label shall bear any statement, design, or device regarding the curative or therapeutic effect of such article which is false and fraudulent."

Mr. SHERLEY. Mr. Speaker, I offer as an amendment, on line 8, page 1, after the word "bear," the words "or contain." Also on line 22, page 2, after the word "bear," the words "or contain."

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

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

Mr. SHERLEY. Mr. Speaker, the bill is of so much importance, it seems to me the House is entitled to a brief statement of its purport.

Mr. MANN. Mr. Speaker, I move to insert, after the word "article," in line 10, page 1, and after the word "article," in line 24, page 2, the following words:

Or any of the ingredients or substances contained therein.

The SPEAKER. Without objection, the amendment will be agreed to.

There was no objection.

Mr. SHERLEY. Mr. Speaker, something over a year ago the Supreme Court rendered a decision in what is known as the Johnson case, in which they held that the sections of the pure-food law relating to misbranding did not embrace statements as to the curative or therapeutic properties of drugs. There was a very strong dissent handed down by Justice Hughes, and concurred in by Justice Day and Justice Harlan, holding that a proper construction of the act would embrace such cases. The majority of the court seem to have gone on the idea that it was not the intention of Congress to enter into the domain of matters in issue between rival schools of medicine, but, as is very clearly set out by the minority in their dissenting opinion, there were a great many cases that did not belong in this twilight zone, but represented plain cases of fraud and deceit. In the opinion of the minority of the court, it was the intention of the law to reach such cases, and believing it certainly ought to be the intention of the law to reach them, I introduced the bill now before the House. Just after its introduction the President called attention to the importance of the decision and the need of a remedy by a special message to Congress. This act has been drawn with some care, and as perfected by the amendments offered will certainly reach those cases of fraud without undertaking to have the Government enter into the disputed domain that lies outside of proper legislation.

The use of the words "and fraudulent" qualifies the language of the act so as to make it apply only to those cases of deceit and of fraud that ought to be embraced, and that ought not to

be permitted in commerce at all. I have made this much of a statement not so much for the benefit of the Members of the House, who are familiar with the law, as that the country at large may know the importance of the amendment.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. COOPER. I observe in line 12, page 2, that an article shall be deemed to be misbranded, in the case of drugs, if it be an imitation of, or offered for sale under the name of, another article. Now, suppose you take an article——

Mr. SHERLEY. If the gentleman will permit me just a moment there, I think I can anticipate his question by saying that that is in the existing law. The only change I propose here is found in the third paragraph, which is in this language:

If its package or label shall bear any statement, design, or device regarding the curative or therapeutic effect of such article which is false and fraudulent.

That has been modified by the amendment offered by myself and the gentleman from Illinois [Mr. MANN].

Mr. COOPER. That is a good suggestion, but there is one other question that I would like to ask of the gentleman from Kentucky. Recurring to lines 12 and 13, page 2, referring to things misbranded, if it be offered for sale under the name of another article; now suppose it were offered falsely under a name that is not the name of another article, but a manufactured name, or a name conjured up; suppose it is simply water, with some bitters in it that makes it taste like medicine, and it is not sold under the name of another article. It would none the less be a fraud.

Mr. SHERLEY. There are other provisions of the act which cover a false statement as to the ingredients, but under the decision of the Supreme Court it is held that there is no provision in the act which made it unlawful to make a false statement as to the curative or therapeutic qualities of medicine, and it was only as to that phase of it that this bill undertakes to deal.

Mr. COOPER. I should think it would be termed "misbranded" if it were offered for sale in the name of another article or under a false name.

Mr. COVINGTON. Mr. Speaker, will the gentleman yield?

Mr. COOPER. Certainly.

Mr. COVINGTON. I will call the attention of the gentleman to the fact that another section of the pure-food law provides a punishment for misbranding when it implies any false statement in regard to any ingredient or false substance contained therein.

Mr. COOPER. Exactly. But these two paragraphs are entirely different. Section 8, defining the term "misbranded," says it shall apply to all drugs or articles of food or articles which enter into the construction of food or the ingredients or substances contained therein which are false or misleading in any particular, and in line 12 there is a specific provision to the effect that the article shall be adjudged misbranded if it be offered in imitation of or under the name of another article. It may be another matter entirely from the mere name, and it may deceive the purchaser as to what the ingredients are.

Mr. MANN. That provision in the existing pure-food law is not changed by this at all, and the purpose of that provision there is simply to prevent people from selling one thing under the name of another thing. It was not intended to prevent people manufacturing a name of their own. The law specifically provides that people may use a conjured-up name for something, but they can not use deleterious substances in food or drugs or in the making of the article. If a name is established, they can not use something else and sell it under that name.

Mr. COOPER. Yes; but still they could sell one article under the name of another article. For example, if you take flour and sell it under a purely invented name, you would not violate the act.

Mr. MANN. No. You can take flour and sell it now under an invented name if you can get anybody to buy it.

Mr. COOPER. Yes. I know of a so-called drug or an alleged cure which is nothing but water with 2 per cent of something to color it. The gentleman knows what it was. The gentleman from Illinois [Mr. MANN] was not of the company, of course, but the alleged cure I refer to was made in his city, and the fraud was exposed two or three years ago. I believe the people concerned in it made over a hundred thousand dollars on it.

Mr. MANN. That is the effect of the Sherley proposition. If you want to sell flour for medicine and people want to buy it, I do not see any reason why they should not be permitted to buy it; but if you want to sell flour and claim that it will cure disease, the Sherley amendment prevents it.

Mr. COOPER. But should a person be allowed to sell flour under the name of "Molie" or "Culloly," for example? As an extreme illustration, suppose an Italian, unacquainted with the terms used in this country, buys something called "Molie" and afterwards finds out that he has bought only flour. He has not bought it under the name of another article, because there is no such article. He has been deliberately swindled.

Mr. MANN. What difference does it make? He certainly knows flour. They can not lie as to what it can be under the Sherley amendment. If he prefers to buy "Molie," and prefers that to flour, he can buy it.

Mr. COOPER. But it may not be nourishing.

Mr. MANN. Well, flour is a nourishing article of food under any name.

Mr. COOPER. That would not be misbranding if it were called "flour," but this man may buy flour under another name.

Mr. MANN. A trade name must be permitted under the pure-food law if the article does not contain deleterious substances.

Mr. MOORE of Pennsylvania. Does not the amendment which was offered by the gentleman a little while ago and accepted by the gentleman from Kentucky cover that entirely?

Mr. MANN. I think it does in regard to medicines.

Mr. SHERLEY. Mr. Speaker, I call for a vote.

The SPEAKER pro tempore (Mr. DAVIS of West Virginia). The question is on the engrossment and third reading of the bill.

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

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

UNITED STATES COURT LIBRARY IN NORTHERN DISTRICT OF OHIO.

Mr. McCOY. Mr. Speaker, I ask unanimous consent to return to No. 388 on the Calendar for Unanimous Consent, the bill (H. R. 4718) to authorize the use of certain unclaimed moneys now in the registry of the United States Circuit Court for the Northern District of Ohio for the improvement of the libraries of the United States courts for said district, for the purpose of amending the title.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to return to the bill H. R. 4718. Is there objection?

There was no objection.

Mr. McCOY. Now, Mr. Speaker, I move the title be amended in accordance with the text.

The motion was agreed to.

ACT TO ENLARGE HOMESTEADS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23351) to amend an act entitled "An act to provide for enlarged homesteads."

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I will ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

AGRICULTURAL ENTRIES ON OIL AND GAS LANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3045) to provide for agricultural entries on oil and gas lands.

The Clerk read the bill, as follows:

Be it enacted, etc., That from and after the passage of this act unreserved public lands of the United States, exclusive of Alaska, which have been withdrawn or classified as oil lands, or are valuable for oil, shall be subject to appropriate entry under the homestead laws by actual settlers only, the desert-land law, to selection under section 4 of the act approved August 18, 1894, known as the Carey Act, and to withdrawal under the act approved June 17, 1902, known as the reclamation act, whenever such entry, selection, or withdrawal shall be made with a view of obtaining or passing title, with a reservation to the United States of the oil and gas in such lands and of the right to prospect for, mine, and remove the same. But no desert entry made under the provisions of this act shall contain more than 160 acres, and all homestead entries made hereunder shall be subject to the conditions, as to cultivation and residence, of entries under the act approved February 19, 1909, entitled "An act to provide for an enlarged homestead": *Provided*, That those who have initiated non-mineral entries, selections, or locations in good faith, prior to the passage of this act, on lands withdrawn or classified as oil lands, may perfect the same under the provisions of the laws under which said entries were made, but shall receive the limited patent provided for in this act.

SEC. 2. That any person desiring to make entry under the homestead laws or the desert-land law, any State desiring to make selection under section 4 of the act of August 18, 1894, known as the Carey Act, and the Secretary of the Interior in withdrawing under the reclamation act lands classified as oil lands, or valuable for oil, with a view of securing or passing title to the same in accordance with the provisions of said acts, shall state in the application for entry, selection, or notice of withdrawal that the same is made in accordance with and subject to the provisions and reservations of this act.

SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which entry is made and of this act the entryman shall be entitled to a patent to the land entered by him,

which patent shall contain a reservation to the United States of all the oil and gas in the lands so patented, together with the right to prospect for, mine, and remove the same. The reserved oil and gas deposits in such lands shall be disposed of only as shall be hereafter expressly directed by law: *Provided*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, enter, or select, under the land laws of the United States, lands which have been classified as oil lands with a view of disproving such classification and securing a patent without reservation.

The SPEAKER. Is there objection?

Mr. KENT. Mr. Speaker, I reserve the right to object. I would like to know whether this bill has been favorably reported by the Department of the Interior?

Mr. MONDELL. It has, Mr. Speaker.

Mr. MANN. Reserving the right to object, I notice in section 2 what I suppose is a manifest error. It leaves in the words "any State desiring to make selection under section 4 of the act," and then in other parts of the bill they attempt by amendment to confine it to Utah.

Mr. MONDELL. It is the intention to offer three amendments, which will be necessary in order to make section 2 harmonize with section 1 as amended.

Mr. MANN. Will the gentleman be kind enough to tell me what his amendments are?

Mr. MONDELL. The word "any," in line 23, page 2, should be stricken out and the word "the" inserted.

After the word "State," in line 23 on the same page, the word "Utah" should be inserted.

On page 3, after the word "act," in line 2, the words "or under grants made by Congress" should be inserted. With those amendments section 2 would harmonize with section 1.

Mr. MANN. I should like to ask the gentlemen if they would be willing to strike out the proviso at the bottom of page 3, and be willing to insert wherever oil and gas or oil or gas occurs the word "coal" after the word "oil" so that it will read, "oil, coal, or gas"?

Mr. MONDELL. I scarcely know how that sort of an amendment would be interpreted in connection with the general law applying to coal lands of which this is a copy. There is a general act which applies to Utah, as to all other parts of the public domain, approved June 22, 1910, and in practically the identical words of this act, but applying only to coal, and providing for the entry under certain of the agricultural laws of land withdrawn as coal lands or valuable for coal. That act is in full force and effect in Utah, as it is elsewhere in the country, and covers the question of coal, all reserved coal lands, and lands valuable for coal.

Mr. MANN. That has nothing to do with this.

Mr. MONDELL. It has everything to do with coal land in the State of Utah, and it does not seem to me that it is good legislation, when we have a law applying to the State of Utah providing for the agricultural entry of coal lands, to afterwards legislate on the same subject in another bill and in exactly the same manner. The language of the coal bill is identical with the language of this bill, except that it is general, and that the word "coal" instead of the words "oil and gas" is used.

Mr. MANN. I am familiar with that, but the coal law has no application whatever to the lands referred to in this bill.

Mr. MONDELL. Certainly not, unless they contain coal.

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

Mr. MONDELL. The lands referred to in this bill are lands reserved for oil, or are valuable for oil. The lands that the gentleman desires to bring within the bill are lands reserved for coal or valuable for coal. Those lands are now provided for in a bill identical in language with the bill before us, but applying to coal.

Mr. MURRAY. This bill is a copy of the coal bill?

Mr. MONDELL. It is identical with it, except that it refers to another mineral.

Mr. MANN. I do not like to work at cross purposes with the gentleman, but the gentleman can not mislead me.

Mr. MONDELL. The gentleman from Wyoming has not the slightest disposition to mislead the gentleman from Illinois. He does not consider that he would be able to mislead so astute a gentleman in the first instance, and certainly he has no desire to mislead him; but it strikes me as being very extraordinary that when we have legislation providing for lands valuable for coal that it is considered necessary to put in legislation providing for oil and gas lands the same words.

The SPEAKER. The Chair desires to interrupt the consideration of this bill for the purpose of laying before the House some other matters.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

THE PANAMA CANAL (H. DOC. NO. 914).

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

Congress has passed a bill for the government of the Panama Canal when it shall have been completed, in section 5 of which it is provided that no tolls shall be levied upon vessels engaged in the coastwise trade of the United States. Under existing law no vessels but those of the United States can engage in the coastwise trade. The same bill provides for the imposition, within the discretion of the President, of tolls not exceeding $1.25 per net registered ton upon all other vessels using the canal.

In the debates in the House and Senate it was contended that this was a discrimination in favor of vessels of the United States in violation of the following provision of the Hay-Pauncefote treaty:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable. (Art. 3, sec. 1, p. 1904.)

After full examination of the Hay-Pauncefote treaty and of the treaty which preceded it, I feel confident that the exemption of the coastwise vessels of the United States from tolls and the imposition of tolls on vessels of all nations engaged in the foreign trade is not a violation of the Hay-Pauncefote treaty. But distinguished lawyers in the House and Senate differ from this construction, and the Secretary of State has received an informal protest from the British Government that the contemplated legislation is a violation of her treaty rights.

The necessity for the enactment of the provisions of the bill looking to the maintenance and government of the canal I have already explained in a special message, and this necessity makes me anxious to sign the bill. On the other hand, the question of the foreign relations of the Government is one in respect of which the Executive has especial responsibility, and such a protest from a friendly Government, supported as it is by the expressed views of distinguished Members of both Houses, invites the greatest care and the closest examination on our part of our rights under our treaties, with a view to preserving national honor and observing our solemn obligations.

I am sure that it is not the intention of Congress to violate the Hay-Pauncefote treaty or to enact anything inconsistent with its provisions, and that it certainly is not its purpose to repeal, by subsequent enactment, the treaty in so far as it represents the law of the land. It is of the highest importance, however, that this attitude should be made clearly known to the nations of the world, and that we should avoid any apparent justification for criticism.

I suggest, therefore, that before the time has elapsed in which I am called upon to express approval or disapproval of this bill Congress consider the wisdom of passing a joint resolution of the following tenor:

> That nothing contained in the act entitled "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone" shall be deemed to repeal any provision of the Hay-Pauncefote treaty, or to affect the judicial construction thereof, or in any wise to impair any rights or privileges which have been or may be acquired by any foreign nation under the treaties of the United States relative to tolls or other charges for the passage of vessels through the Panama Canal, and that when any alien, whether natural person, partnership, company, or corporation, considers that the charging of tolls or the enforcement of any other regulation under and pursuant to the provisions of this act violates in any way any such treaty rights or privileges, such alien shall have the right to bring an action against the United States for a redress of the injury which he considers himself to have suffered, and the district courts of the United States are hereby given jurisdiction to hear and determine such cases and to decree the appropriate relief, and from the decision of such district courts there shall be an appeal by either party to the action to the Supreme Court of the United States.

Or, in the alternative, that Congress recall the bill and insert the foregoing as an amendment to the bill.

Unless some such clause is embodied in the law, it would probably be contended that the legislative construction of the treaty given by Congress in enacting the law is binding upon our courts when the question of the rights of aliens under the treaty comes before them. The foregoing provision would avoid such effect and would leave the matter entirely free to judicial construction, unaffected by the political decision of either the Executive or legislative branch of our Government.

This language negatives absolutely any desire on the part of Congress to repeal the Hay-Pauncefote treaty or to violate its provisions by this legislation and leaves open to any person who deems himself aggrieved by the provisions of the act an opportunity to appeal to our courts.

I think the importance of our standing before the world as anxious to give to the world an oportunity to test this ques-

tion in the courts is an earnest of our good faith in attempting to keep within our treaty obligations.

WM. H. TAFT.

THE WHITE HOUSE, *August 19, 1912.*

Mr. UNDERWOOD. Mr. Speaker, I move that the message be printed and referred to the Committee on Interstate and Foreign Commerce.

Mr. ADAMSON. Mr. Speaker, if the gentleman from Alabama will permit, I think it is wiser to let the message lie on the Speaker's table for a little while, and let us have a conference around among ourselves in respect to it.

Mr. MANN. Oh, I think it better go to the committee.

The SPEAKER. The Chair will state that the reason he had the message read at this particular juncture was that he was afraid perhaps later on somebody might raise the point of order of no quorum, and we could not have it read, and the Chair thought it important to have the message read.

Mr. MANN. The Chair can refer it without a motion.

The SPEAKER. The Chair can refer it, but there is no harm in putting the motion.

The question is on the motion of the gentleman from Alabama that the message be referred to the Committee on Interstate and Foreign Commerce and ordered printed.

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

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Alabama when the House will adjourn to-day?

Mr. UNDERWOOD. Mr. Speaker, I hope that we will finish the Unanimous Consent Calendar before adjournment.

Mr. MANN. Mr. Speaker, I agree with the gentleman about that, but I am not sure whether when we do that we will want to meet at 11 o'clock to-morrow.

Mr. UNDERWOOD. Mr. Speaker, there are some matters that outside of conference reports we are anxious to get through with.

Mr. MANN. Mr. Speaker, I hope the gentleman will postpone his request. If we do not run too late there will not be any objection to it, but if we should happen to run until 11 o'clock to-night, we might not want to meet so early in the morning.

Mr. UNDERWOOD. Mr. Speaker, I withdraw the request for the present.

AGRICULTURAL ENTRIES ON OIL AND GAS LANDS.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] had the floor when the Chair interrupted him to lay the message of the President before the House.

Mr. MANN. Mr. Speaker, if the gentleman will permit, I believe, although I may be mistaken, that usually coal and oil are in some way connected. This bill (S. 3045) provides that where land is withdrawn as oil land title may be granted to the surface with a reservation of oil and gas, which I take it is upon the theory that oil and gas are connected. It does not require a withdrawal of the land on account of gas. It provides that if it be withdrawn or valuable for oil, then the reservation shall be for oil and gas.

Mr. MONDELL. The withdrawal is always for oil and gas.

Mr. MANN. If, as the gentleman says, the withdrawal is always for oil and gas, then this bill is incorrectly drawn, because this bill only applies when land has been withdrawn or classified as oil land, or when it is chiefly valuable for oil, and I think, therefore, probably the gentleman may or may not be correct. Either the gentleman is incorrect or the bill, one of the two. There is just as much relationship between oil and coal as there is between oil and gas. If gentlemen are willing to insert "coal" following "oil" wherever it appears, reserving oil, coal, and gas, I am very well satisfied to let the bill pass.

Mr. MONDELL. Mr. Speaker, what the gentleman wants, as I understand it, is that if land has been withdrawn for oil and the entryman secures the title to it he must secure his title reserving to the United States the oil and the coal, although there may be no coal there.

Mr. MANN. There may be no oil there either and there may be no gas, because it is not like this place—there is not gas everywhere. [Laughter.]

Mr. MONDELL. But there is a law on the statute books that applies to the proposition the gentleman has in mind, which applies not only to Utah, but to the entire country, namely, that if land is withdrawn for coal or if land is valuable for coal, whether it be withdrawn or not, it may be entered with a reservation of the coal. I do not think the gentleman believes that because land may be withdrawn for a certain mineral, that, therefore, the entryman who may enter under an agricultural law should be required to take it with a reservation to the Government of all the minerals that might at any time be found in the land, which the land is not known or believed to contain.

Mr. MANN. Mr. Speaker, I do not care to stand here and argue with the gentleman all day long. He will not convince me and probably I shall not convince him. I am perfectly willing to object to the bill.

Mr. MONDELL. Mr. Speaker, this is too important legislation and too many people are interested in it for me to take the responsibility of saying that I am willing to have the legislation written in a way that will conflict with legislation already upon the statute books and make it difficult to understand the legislation we already have. There is legislation fully protecting the Government in the matter of coal. I do not know how this legislation as proposed to be amended could be interpreted or how it would be interpreted. If in passing this bill confined to Utah, relative to oil land, we insert language relating to another mineral which is provided for in exactly the same sort of legislation, applicable to all of the country, I do not know how it would be interpreted. I do not think the gentleman ought to insist upon it. If it is the gentleman's intention that because there be a suspicion that land contains one mineral there should be a reservation of another, and then by analogy of all mineral, he is proposing something we have never done and in my opinion ought not to do.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. HOWELL. Mr. Speaker, will not the gentleman allow the bill to go over without prejudice?

Mr. MANN. Mr. Speaker, I object.

CANAL BETWEEN LAKE ERIE AND OHIO RIVER.

The next business on the Calendar for Unanimous Consent was the bill (S. 6678) authorizing the Secretary of War, under certain conditions, to detail officers of the Corps of Engineers to supervise and direct the construction of a canal between Lake Erie and the Ohio River, and for other purposes.

The SPEAKER. Is there objection?

Mr. SPARKMAN. Mr. Speaker, reserving the right to object, I wish to say in my judgment this is too important a measure to be considered here to-day. It provides for the commencement of a very important piece of work——

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The bill will be stricken from the calendar.

Mr. SPARKMAN. I was going to object to it myself.

INCORPORATION OF CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25106) to incorporate the Chamber of Commerce of the United States of America.

The SPEAKER. Is there objection?

Mr. COVINGTON. Mr. Speaker, reserving the right to object, I would like to hear from the gentleman, the author of the bill, what its purpose is. I do not see him here.

Mr. GARRETT. Mr. Speaker, I object.

Mr. MURRAY. May I ask the gentleman to withhold his objection for a moment?

Mr. MANN. This is rather an unusual case.

Mr. GARRETT. Mr. Speaker, I reserve the right to object for a moment, but I shall object at the end.

Mr. GRAHAM. Mr. Speaker, about the middle of April last, at the suggestion of the President of the United States, a number of representatives of foreign local commercial bodies, chambers of commerce, other commercial bodies, and other various associations of the United States came here to Washington. There were 700 or 800 delegates at the meeting, which was held at the New Willard Hotel, the purpose of the meeting being to effect a national organization of representatives of various bodies representing the local commercial interests, one of their purposes being to raise, if it could, the standard of business ethics in this country, to bring together various commercial interests throughout the country; and not only that, but to provide for giving the people of other countries better information of what was being done here to extend American trade and commerce. The result of the meeting of those gentlemen was the formulation of a bill, and this bill has grown out of that. Now, there is a provision in the bill, near the end of it, "that nothing herein contained shall authorize said corporation to engage in business for its own profit." So that this corporation could not be availed of to anyone's profit. It is simply to extend to other countries the advantages of trade with the people

of the United States and to bring closer together the various commercial bodies of the United States. If it were a corporation for profit I would not urge it upon the House, but it can be seen from the conclusion of the provision to which I have referred that it can not possibly be made a vehicle of profit to anyone, and it is absolutely in the interest of a wider commerce for the United and to bring closer together the various commercial interests of the United States. Mr. Speaker, if there are any particular questions, I would be glad to answer them, if I am able to do so.

Mr. MOORE of Pennsylvania. Did not this bill originate in the meeting called by the Secretary of Commerce and Labor?

Mr. GRAHAM. Well, the suggestion for the original meeting came through the President, but he was influenced in the way you speak of in making the suggestion by the Secretary of Commerce and Labor, also.

Mr. MOORE of Pennsylvania. It is a result of a good deal of discussion amongst the commercial bodies for a number of years, as I understand it.

Mr. GRAHAM. It is.

Mr. MOORE of Pennsylvania. And has behind it the desire of commercial bodies to cooperate with the Department of Commerce and Labor so as to make more effective what can be done in the promotion of trade.

Mr. GRAHAM. That is true.

Mr. MOORE of Pennsylvania. And had a good deal to do with the desire to improve the commercial advantages which would result from the opening of the Panama Canal.

Mr. GRAHAM. Up to this time, while various cities have had their commercial bodies, chambers of commerce, and all that sort of thing, there has been no sort of communion between them and this is an attempt to bring them together for the purpose of mutual assistance in public benefit.

Mr. CLAYTON. Mr. Speaker, will the gentleman permit me to answer the inquiry propounded by the gentleman from Pennsylvania by saying that the idea carried in this proposed measure did not originate with the President nor with the Secretary of Commerce and Labor, but it originated with the various boards of trade and commercial bodies of like kind throughout the country, and they are very anxious to have this measure passed, as my associate on the committee, the gentleman from Illinois, has well stated. But I may say, Mr. Speaker, that this measure came from the committee with a unanimous report from the members of that committee, and after having given a hearing on the subject to the advocates or proponents of this legislation, the committee took the view of the matter which has just been so well expressed by the gentleman from Illinois [Mr. GRAHAM].

Mr. MURRAY. I hope sincerely that the gentleman from Tennessee [Mr. GARRETT] will not insist in his purpose to object to this legislation, because I happen to know something of the beginning of this movement which results to-day in a unanimous report from the Committee on the Judiciary to permit certain gentlemen to incorporate. Everything they desire to do may well be done by them in a voluntary association without an act of incorporation by Congress, and I have no doubt that the gentleman from Tennessee will agree with the thought which must be apparent and in the mind of every man here—that this work can be best directed and carried on with credentials of incorporation from the Congress of the United States. We ought not to allow anything except the best kind of reason to stand against the passage of this bill. The history of this matter has been referred to. The gentleman from Tennessee [Mr. GARRETT] is the ranking member of the Committee on Insular Affairs, and knows perhaps better than most of us here the tremendous opportunity there is for the American business man and American manufacturer to encourage close business relations with the people of the Philippine Islands.

The report that accompanies this bill refers to the splendid advantages that we are certain to get from this incorporation, and no Member should object to this bill on the grounds that are usually interposed against Federal incorporation. I am one of those who believe we should not be too ready to incorporate hastily under the interstate-commerce power of the Constitution. I should hesitate a long time to permit some of those who have petitioned Congress to have a charter, but where a corporation is for patriotic purposes, where it is for the purpose of sending the products of American trade and industry into every section of the civilized world, I sincerely hope the gentleman will not urge his objection to the passage of this bill, which has been unanimously reported from the Committee on the Judiciary. [Applause.]

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, so far as I know, there never has been but one special bill passed by Congress granting a charter which did not make the institution that it incorporated a corporation of the District of Columbia. There is one bill which passed many years ago which made the corporation which was thereby created a general corporation and granted a Federal charter to the same. This bill does not make this particular corporation proposed to be created by it a corporation of the District. It grants it a Federal charter. It will not be subject, if it be sustained, to any sort of State control. It can go into any State and do business without reference to State law or State regulation. The bill was either carefully drawn or else very loosely drawn.

Mr. MURRAY. Mr. Speaker, surely the gentleman will agree that this corporation could not do business for profit, because it is expressly stated in the terms of incorporation that it could not be for profit.

Mr. GARRETT. Mr. Speaker, if the gentleman will pardon me, I am not referring particularly to that. It says it shall not do business for profit, but there is a vast legal question involved here in the creation of this corporation or any other corporation that is created by special act of Congress. It ought to have a legal situs. It ought to have a local citizenship somewhere. Frankly, I have always opposed the bills that made it a corporation of the District. I do not think they ought to pass by any special act of Congress. I think there should be a general law under which these institutions should incorporate, and I do not think there should be a special act passed creating a corporation, even in the District of Columbia. But this does not do that. This grants a Federal charter.

Mr. CLAYTON. Does not the gentleman think this is sufficient to meet his ideas, namely, in lines 6, 7, and 8, on page 2:

For these purposes, headquarters in the District of Columbia.

Mr. GARRETT. No, Mr. Speaker, I do not think so. That merely gives them a right to have an office here. You could do that with any corporation anywhere.

Mr. GRAHAM. Will the gentleman suggest such language as he thinks will cover it?

Mr. CLAYTON. It says:

Enjoy the right to establish and maintain headquarters in the District of Columbia.

And then add:

And that for all the purposes of this act the body corporate shall be held to be a body corporate of the District of Columbia.

Now, do you think if language to that effect were inserted it would meet the idea of the gentleman?

Mr. GARRETT. Of course the gentleman from Alabama [Mr. CLAYTON] understands I am opposed to special acts in any instance.

Mr. CLAYTON. Of course I can not meet your fundamental objection, but I thought I could meet the objection that you raised as to the proper phraseology of this bill, by making it distinctly a corporation of the District of Columbia. I can meet your objection as to the situs or domicile of this corporation.

Mr. GARRETT. I will say to the gentleman that in line 2, on page 2, after the word "corporation," if there were inserted the words "of the District of Columbia," it would probably be a more felicitous expression than the expression there now. Still, I am opposed to the bill. I do not like to take the personal responsibility of killing a bill like this, however.

Mr. GRAHAM. I will accept the amendment proposed by the gentleman.

Mr. CLAYTON. It is for the purpose of extending our trade relations with foreign countries. It is in no sense for profit except by way of encouraging friendly intercourse, in disseminating useful and valuable information; and the right to amend, alter, or repeal the act or any part thereof is expressly reserved.

Under this act there could grow up no such thing as vested rights. It is in its nature somewhat of a social organization rather than a business corporation.

Mr. CANNON. Will the gentleman allow a question there?

Mr. CLAYTON. If I may be permitted to do so, I will, with pleasure.

Mr. GARRETT. Certainly.

Mr. CANNON. Speaking of its being a social organization, does not the gentleman think it might be well to add that it shall have an annual meeting some time in January, in Washington?

Mr. CLAYTON. I did not catch the full purport of the gentleman's question.

Mr. CANNON. The gentleman was speaking of its being to some extent a social organization, and——

Mr. CLAYTON. I said it was more of that nature than a business corporation.

Mr. CANNON. I think from that standpoint it would be well to provide that it shall hold an annual meeting in January, in Washington.

Mr. CLAYTON. I can assure the gentleman, although I am not a member of the organization, that I have no doubt that the officers of that organization, if it becomes an organization in law, will extend the gentleman an invitation to their meetings in January, and maybe in the springtime when the flowers bloom. [Laughter.]

Mr. CANNON. Then I am with the gentleman. [Laughter.]

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CLAYTON. If I may.

Mr. MOORE of Pennsylvania. I suggest that the gentleman also use the word "advisory." I was interested in this project at the beginning, and was glad to see it launched. It will tend to bring the business men of the country together. The Department of Commerce and Labor was created to foster, promote, and develop business and commerce, but up to this time that department has been run principally for administrative purposes; very little has been done for the promotion of the commercial interests throughout the country. That is true also with respect to the Panama Canal. It was hoped that the construction of the Panama Canal would give a great impetus to our business and commerce, but there has been no great promotion of business thus far as a consequence of the construction of the Panama Canal or in anticipation of its early completion. Why not pass this bill, so that the business men may cooperate with the officials of the Department of Commerce and Labor and Congress may also be advised occasionally of the progress that is made?

Mr. MANN. Mr. Speaker, will the gentleman yield for a little question that may help out? Is it the intention of the gentleman from Tennessee [Mr. GARRETT] to object to this bill? I would say to the gentleman that there are 25 bills yet remaining on the Calendar for Unanimous Consent that have not been reached, and the gentlemen interested in those bills are desirous that progress should be made. If it is the intention of the gentleman from Tennessee, after discussing this bill for a while, to object, I will shorten the agony now.

Mr. GARRETT. Then, Mr. Speaker, I will object.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] objects. The Clerk will report the next bill.

BILL APPROVED BY THE PRESIDENT.

A message from the President, by Mr. Latta, one of his secretaries, announced that on August 19 he approved the following House joint resolution:

H. J. Res. 327. Joint resolution requesting the President of the United States to direct the Secretary of State to issue invitations to foreign governments to participate in the Fourth International Congress on School Hygiene.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Curtis, one of its clerks, 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. 16571) to give effect to the convention between the Governments of the United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the north Pacific Ocean, concluded at Washington July 7, 1911.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills and a joint resolution of the following titles, when the Speaker signed the same:

H. R. 6722. An act for the relief of Stephen Campbell and Isaac Overdorf;

H. R. 5135. An act for the relief of John J. Troxell;

H. R. 21969. An act to provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone; and

S. J. Res. 133. Joint resolution appropriating the sum of $20,000 out of money appropriated by Senate joint resolution No. 129 for subsistence of American citizens who shall have fled or who may hereafter flee from threatened danger in the Republic of Mexico into the States of the United States bordering on the Republic of Mexico.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Stuart, one of its clerks, announced that the Senate had disagreed 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. 20728) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1913.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 17483. An act amending sections 1998, 1420, and 1624 of the Revised Statutes of the United States, and to authorize the President in certain cases to mitigate or remit the loss of rights of citizenship imposed by law upon deserters from the military or naval service and to authorize certain reenlistments in the Army and naval service;

H. R. 24626. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 606. An act for the relief of John Treffeisen;

H. R. 19190. An act for the relief of John P. Risley;

H. R. 26278. An act amending paragraph 10 of section 8 of an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, as amended by section 2 of an act entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected,' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses";

H. R. 6722. An act for the relief of Stephen Campbell and Isaac Overdorf; and

H. R. 5135. An act for the relief of John J. Troxell.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the bill (H. R. 26321) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, with amendments, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate insisted upon its amendments to the bill (H. R. 21090) to create a commission on industrial relations, disagreed to by the House of Representatives, and had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BORAH, Mr. PENROSE, and Mr. BANKHEAD conferees on the part of the Senate.

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. 24565) making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes.

MESSAGES OF INTERSTATE TELEGRAPH AND TELEPHONE COMPANIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3010) to fix the requirements for governing the receipt, transmission, delivery, and preservation of messages of interstate telegraph and telephone companies.

The Clerk read the bill, as follows:

Be it enacted, etc., That no person, firm, copartnership, association, or corporation engaged in the business of transmitting messages and communications by telegraph or telephone, or partly by telegraph and partly by telephone, or partly by telegraph, telephone, and some other device, when used under a common control, management, or arrangement for hire, shall send, transmit, or deliver any message or communication from one State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from one place in a Territory to another place in the same Territory, or from one place in the District of Columbia to another place in the said District, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States, without causing to appear plainly and accurately upon the addresser or sender's copy of every telegram and other message presented and accepted for such transmission the name of the place where such telegram or message originated, the month, day of the month, and the hour and minute of the day on which it was accepted for transmission, and there shall also appear plainly and accurately upon every copy of such telegram or message like notations.

(a) The entries and notations made upon any such telegram or message or copy of such telegram or message received and accepted for transmission, of the month, day of the month, and hour and minute of the day on which any such telegram or message is presented and accepted for transmission shall be made and written upon said telegram or message immediately, and upon the moment of its presentation and acceptance for transmission, and before said telegram or message is placed on file or otherwise used or disposed of for transmission, and said entries and notations upon any such telegram or message shall be made in ink and without extra charge to the sender.

SEC. 2. That very person, firm, copartnership, association, or corporation shall, at the office and place of destination of any such telegram

or message, cause to appear plainly and accurately upon the addressee's copy of every such telegram or message, the name of the place where such telegram or message originated, the month, day of the month, and the hour and minute of the day on which it was accepted for transmission, and there shall also appear plainly and accurately upon every copy of such telegram or message the month, day of the month, and hour and minute of the day on which it was received for delivery.

SEC. 3. That every person, firm, copartnership, association, or corporation shall, at the office and place of destination of any such telegram or message, deliver the message to its addressee within one-half hour after its receipt, provided the addressee resides not more than 1 mile from the office of its receipt; and within one hour after its receipt if the addressee lives more than 1 mile, but not more than 2 miles from the office of its receipt.

SEC. 4. That any person found guilty of violating any of the provisions of this act shall be punished by imprisinment for a term not exceeding one year or by a fine not exceeding $1,000, or by both such fine and imprisonment.

Every violation of this act shall be prosecuted in any court of the United States having jurisdiction of crimes within the district in which such violation was committed, or through which the message or communcation may have been conducted; and whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jursdiction in the same manner as if the offense had been actually and wholly committed therein. In construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any person, firm, copartnership, association, or corporation, acting within the scope of his employment, shall in every case be also deemed to be the act, omission, or failure of such person, firm, copartnership, association, or corporation, as well as that of the officer, agent, or other person. No person, and no agent or officer of any firm, copartnership, association, or corporation within the purview of this act shall be privileged from testifying in relation to anything herein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

The SPEAKER. Is there objection?

Mr. MANN. I reserve the right to object, Mr. Speaker, in order to give the gentleman from Colorado [Mr. MARTIN] another opportunity to "roast" me. [Laughter.]

Mr. MARTIN of Colorado. Mr. Speaker, I did not know that I would have the distinguished honor of having one more bill bumped off the Unanimous Consent Calendar to-day by the "Great Objector" from Illinois, and I want to thank the gentleman for the opportunity he has given me. [Laughter.]

Mr. MANN. I have no objection to the "roast" that the gentleman is going to give me, but I did not know that the gentleman had reported this bill.

Mr. MARTIN of Colorado. Mr. Speaker, I did not report this bill, but I was chairman of the subcommittee that reported it to the full committee.

This bill simply provides that telegraph companies shall indicate on the original messages received by them from the senders and on the copies of the messages delivered to the recipients the names of the places in which the telegrams originated, and in each case the year and the month and the day and the hour and the minute at which the telegrams were accepted at the sending end and received at the receiving end of the line.

This proposition is provided by law and is conceded to work satisfactorily in two of the States of the Union, namely, Massachusetts and Maryland. In addition to that, I am told that this is the practice, and a satisfactory practice, in every country in Europe save one.

Now, every gentleman here knows that he has often received telegrams that are unduly delayed. Gentlemen within the hearing of my voice have received night lettergrams late in the afternoon. We have all received telegrams that were unduly delayed and as to which we would like to know the sending time and the time in which they were received at this end of the line. There is no hardship intended on the telegraph companies by this legislation.

Mr. SULZER. They put the date on the telegrams now.

Mr. MARTIN of Colorado. Yes; they put on the date of receipt. Out here in the corridor, outside the Chamber, you will get telegrams with the receiving time on them, but you can not tell whether they were filed to-day or yesterday or the day before.

Mr. SULZER. They put on the time of filing, too.

Mr. MARTIN of Colorado. You do not get the filing time at the other end. When this legislation was up in a former Congress the companies claimed that it would cause them to send about six additional words, whereas expert and practical testimony now shows that they would not have to send the equivalent of one word in order to express the entire time at which the telegram was accepted at the sending end.

On this point the report reads as follows:

The purpose of the bill, as explained in the title, is to require telegraph companies to send with each message the exact time at which it was filed for transmission, thus enabling the person who receives it to know how long it had been in transit. When a bill of like character was under consideration by this committee in the Sixtieth Congress it was opposed by the officials of the Western Union Telegraph Co. on the ground that adding the filing time to each message would so increase the number of words as to entail a heavy pecuniary loss upon the company transmitting it. It was asserted, for example, that "10.45 a. m." would increase the number of words in the telegram by six, an assertion that the author of the bill showed to be manifestly absurd. "Ten forty-five a. m." represents, as every person connected with telegraphy understands, six units, or one unit more than is contained in the average printed word. On the other hand, "1 p. m." is only three units, or two units less than are contained in the average printed word.

As a matter of fact, it would never be necessary to send the letter "m," whenever "a. m." or "p. m." were used, for the simple reason that this letter could be printed in the proper place on the receiving blank, thus still further reducing the number of units. The contention, therefore, that sending the filing time would cause the telegraph companies a severe pecuniary loss is shown to be unfounded.

Mr. POST. If the sender of the telegram put on the exact day and hour, would not the telegraph company be required to put it on? Under those circumstances, is it not the fault of the sender that these dates are not put on?

Mr. MARTIN of Colorado. I do not think the sender ought to be required to do that.

Mr. MANN. Under this bill, if I were down at the hotel and called a Western Union messenger boy and delivered a message to him and he failed to write on it, at the moment of its presentation to him, the hour and the minute correctly of receiving the message, would he be liable to a fine and imprisonment?

Mr. MARTIN of Colorado. Would the messenger boy be liable?

Mr. MANN. Yes. I will answer the question for the gentleman and say that he would be, and that shows how absolutely ridiculous the bill is. Not only that, but if I had a telegram directed to me at my office and the telegraph company did not deliver it to me at my office in half an hour, although the office might be closed at midnight, the company would be liable to fine and imprisonment.

Mr. MARTIN of Colorado. No; I think the gentleman from Illinois is straining to find objections——

Mr. MANN. I am not straining at all.

Mr. MARTIN of Colorado (continuing). Which would not arise in practical application at all.

Mr. MANN. That is exactly where it would arise. The gentleman ought to examine his bill.

Mr. MARTIN of Colorado. It is not my bill——

Mr. MANN. The bill proposes to fine the messenger boy because his watch happens to be wrong or because he did not have one, and because there was nobody in the house to receive the message. I think it is the limit, and therefore I object.

Mr. MARTIN of Colorado. I want to say to the gentleman that the bill is not my bill, but it is the bill of a practical telegrapher and Member of Congress, who thoroughly understands the subject.

The SPEAKER. The gentleman from Illinois objects.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

Under leave granted I insert the statements on this bill before the Interstate Commerce Committee of Mr. S. J. Konenkamp, president, and Mr. Herman J. Schulteis, organizer and general counsel, of the Commercial Telegraphers' Union:

STATEMENT OF MR. S. J. KONENKAMP, INTERNATIONAL PRESIDENT COMMERCIAL TELEGRAPHERS' UNION, CHICAGO, ILL.

Mr. KONENKAMP. Mr. Chairman and gentlemen, we have advocated such a measure as this, believing it would be advantageous to the general public. There are no persons who are better acquainted with the abuses of the telegraph business than the telegraph operators. I presume they have had all the variety of experience that a person would have in connection wiith the telegraph business, and it is practically the unanimous opinion of all those who are connected with the business that the filing time would save a great many abuses, at least, and would probably give better service throughout.

We have gone into the matter to a considerable extent, and made inquiry of the different countries of Europe as to the customs there, and have found that this is the only nation in the world, so far as we have been able to learn, where the filing time is not carried in the message. In England they use a dial system whereby the objection raised by the telegraph companies is completely obviated, because with a very simple system they use letters for transmitting the filing time. The result is that the total number of letters used at any time does not exceed four.

In speaking of this particular phase of the transmission of messages the secretary of the Postal Clerks' Union in London made the remark that they had no distinction between a. m. and p. m. in England, because it is inconceivable that any message should be delayed in transmission over 12 hours. The Americans, in their experience with the telegraph, believe that it is conceivable that a message should be delayed more than 12 hours.

The CHAIRMAN. The victims find it out.

Mr. KONENKAMP. Undoubtedly. Therefore there could be no better recommendation for the filing time than the statement made by an Englishman, that where it is in use a delay of over 12 hours in a message is something that is inconceivable. If the filing time will bring about such a condition as that, or even if it would reduce the delay to less than 12 hours, I think it highly desirable to have it in this country.

Mr. JOHN A. MARTIN. I have received night lettergrams at 3 or 4 o'clock in the afternoon that I ought to have received in the morning.

Mr. KNOWLAND. How many extra men would this require?

Mr. KONENKAMP. None at all, I should say.

Mr. KNOWLAND. Your union takes the position that it would be for the good of the public?

Mr. KONENKAMP. They take the position that it is for the good of the public.

Mr. JOHN A. MARTIN. In what way would it benefit you?

Mr. KONENKAMP. In what way would it benefit us?

Mr. JOHN A. MARTIN. Yes.

Mr. KONENKAMP. Personally I can not say that it is beneficial to the telegraphers at all, although there are a number of our members who think so.

Mr. HAMLIN. You mean the telegraphers?

Mr. KONENKAMP. The telegraphers. I do not see where it would be of any benefit. Some think it would create a demand for more men, but I can not see it myself. Let us take, for instance, an operator handling three or four hundred messages a day. If he carried the filing time on every one of those, at four letters, and supposing that five letters would make a half a word, the aggregate on 400 different messages would not exceed 80 words in the total number of messages.

Mr. SIMS. How much additional time would that be?

Mr. KONENKAMP. Eighty words would take about three minutes.

The CHAIRMAN. Where are your headquarters?

Mr. KONENKAMP. Chicago.

The CHAIRMAN. How long are you going to be in the city here?

Mr. KONENKAMP. I am going away to-night.

The CHAIRMAN. I thought probably the committee would like to hear you on Mr. MARTIN'S bill, which is an amendment to the 13-hour law.

Mr. KONENKAMP. I am going away to-day. We only represent the commercial telegraphers, but I am a railroad telegrapher, and a number of them are in the union.

Mr. HAMLIN. You say that it would not take over three minutes additional time in the average day's work?

Mr. KONENKAMP. In the average day's work, for 80 words. I am not so good on quick calculations, but I figure it out this way: Three hundred messages, with an average of half a word to a message, would be 150 words, say. That would take seven to eight minutes, because the minimum requirement is about 20 words to a minute for a telegraph operator. However, a man sending at the rate of 400 messages in a day, without counting delay, the speed would be over 40 words a minute, or about that. Therefore the whole thing would not take over 10 minutes in a day. Therefore the advantage in that particular is so infinitesimal that I have not been able to see it.

There has been a law in Massachusetts for over two years compelling the companies to carry the filing time, and they carry it now within the State of Massachusetts, and they have the same law in Maryland, which has been on the statute books of Maryland for four years; but I have heard of no great influx of telegraph operators to either State.

Mr. SIMS. There has been no increase of operators?

Mr. KONENKAMP. No. So I can not see the benefit there. The companies say the cost would be great, but I think if they would put a traffic expert on the job they would be able to reduce it to even a lower minimum than I have spoken of.

Mr. HAMLIN. How are the men paid—on a monthly salary, or the amount of work they do each day? What is the basis of pay?

Mr. KONENKAMP. The wages of telegraph operators range—well, I know of some who receive $6 and $7 a week in New York City.

Mr. HAMLIN. I do not have reference to the amount of money they receive; but what is the basis of pay?

Mr. KONENKAMP. They are all paid by the month or the week; every one of them.

Mr. HAMLIN. And any additional work would not be an increase in the salary?

Mr. KONENKAMP. The only people it would affect are the bonus men in the employ of the Postal Telegraph Co. The Western Union does not use the bonus system.

Mr. DOREMUS. What is the bonus system?

Mr. KONENKAMP. That is a system where the telegrapher is paid for 300 messages a day. That is the general average, and any message he handles over 300 he receives 1 cent a message additional.

Mr. SIMS. In addition to the regular salary?

Mr. KOKENKAMP. In addition to the regular salary.

Mr. JOHN A. MARTIN. If they only get a cent a message this increase of a word would not increase it.

Mr. KONENKAMP. It might reduce their earning power.

The CHAIRMAN. If you know who the owners of the telegraph companies are—the stockholders, and bondholders, and the subsidiary companies—I wish you would put it in your answers when you revise your testimony. It will be sent to you to revise.

Mr. KONENKAMP. All right. I can give you a general idea now.

The CHAIRMAN. I would like to have a reliable statement covering the whole subject.

Mr. KONENKAMP. The Western Union Telegraph Co. is controlled by the American Telephone & Telegraph Co., which is the parent body of all Bell telephone companies in the United States and Canada.

The American Telephone & Telegraph Co. is described in a peptition addressed to Attorney General Wickersham and filed by Mr. George Lambert as a monopoly organized on the same general scheme as the Standard Oil and American Tobacco Trusts. In fact, those in charge of this property make no secret of their aim to obtain complete monopoly of the telegraph and telephone service, or as they term it, through one universal system.

Eight subsidiary companies are under its control, as follows:

The Pacific Telephone & Telegraph Co., on the Pacific coast, operating through four States.

The Mountain States Telephone & Telegraph Co., with headquarters at Denver, operating in eight States.

The Central Union Telephone Co., in Ohio, Indiana, and Illinois.

The Cumberland Telephone & Telegraph Co., operating in six States.

The Southern Bell Telephone & Telegraph Co., operating in seven States.

The New York Telephone Co., which controls through almost complete ownership the Bell telephone companies of Pennsylvania, New Jersey, New York, Delaware, Maryland, District of Columbia, and a portion of Virginia and West Virginia.

The New England Telephone & Telegraph Co., operating in five States.

The Western Telephone & Telegraph Co., operating in seven States, and understood to control, through a majority of stock, the Southwestern Telephone & Telegraph Co., operating in Texas and adjoining States, as well as the Pioneer Co. in Oklahoma.

These companies in turn own many other Bell companies. Through these corporations or through direct American Telephone & Telegraph control these interests own or control the following telegraph companies:

The Western Union Telegraph Co.

The Great Northwestern Telegraph Co. of Canada.

The Postal Telegraph Co. of Texas.

The Anglo-American Cable Co.

The United States Direct Cable Co. and others.

The cable situation is pretty thoroughly dominated by the control of these two companies, with the Western Union's own cables added.

It is the general belief in telegraph circles that the controlling interest in the American Telephone & Telegraph Co. changed in 1908, and that J. P. Morgan & Co., with their affiliated banking interests in Boston, are the present dominating influences in the telegraph and telephone field. The capitalization of the American Telephone & Telegraph and its subsidiaries is estimated as being larger than that of the United States Steel Corporation, or over $1,000,000,000.

The directors of the American Telegraph & Telephone Co. are Charles W. Amory, Thomas B. Bailey, George F. Baker, Francis Blake, Harry H. Brigham, Alexander Cochrane, T. Jefferson Coolidge, jr., W. Murray Crane, Henry P. Davison (director of both companies or is among the general officers of one and director of the other), Rudolph Ellis, Norman W. Harris, Henry L. Higginson, Henry S. Howe (director of both companies or is among the general officers of one and director of the other), Charles E. Hubbard, Lewis C. Ledyard, John J. Mitchell (director of both companies or is among the general officers of one and director of the other), William L. Putnam, S. L. Schoonmaker, E. V. R. Thayer, T. N. Vail (director of both companies or is among the general officers of one and director of the other), Frank E. Warner, John I. Waterbury (director of both companies or is among the general officers of one and director of the other), Moses Williams, and Robert Winsor (director of both companies or is among the general officers of one and director of the other).

The directors of the Western Union Telegraph Co. are Oliver Ames. U. N. Bethell (director of both companies or is among the general officers of one and director of the other), Henry A. Bishop, Robert C. Clowry, Henry P. Davison (director of both companies or is among the general officers of one and director of the other), Chauncey M. Depew, Harris C. Fahnestock, Henry M. Flagler, Robert M. Gallaway, Edwin Gould, George J. Gould, Edward J. Hall (director of both companies or is among the general officers of one and director of the other), Henry S. Howe (director of both companies or is among the general officers of one and director of the other), Thomas H. Hubbard, Edward T. Jeffery, Charles Lanier, Robert S. Lovett, John J. Mitchell (director of both companies or is among the general officers of one and director of the other), William M. Moore, J. Pierpont Morgan, Jacob H. Schiff, Joseph J. Slocum, James Stillman, Harry B. Thayer (director of both companies or is among the general officers of one and director of the other), T. N. Vail (director of both companies or is among the general officers of one and director of the other), Henry Walters, John I. Waterbury (director of both companies or is among the general officers of one and director of the other), John C. Willever, Robert Winsor (director of both companies or is among the general officers of one and director of the other).

The Postal Telegraph Co. does not appear to be a part of the telegraph-telephone combination. It is owned in its entirety by the Mackay companies, which also owns the Commercial Cable Co., the Mackay Telegraph & Telephone Co., the Texas Telegraph Co., and is supposed to control the North American Telegraph Co. A few years ago statements were given out by the Mackay companies to the effect that they were holders of stock in over 100 telegraph and telephone companies.

The Mack companies are not incorporated and are under the management of seven trustees, viz, Clarence H. Mackay, William W. Cook, George G. Ward, Edward C. Platt, M. W. Blackmar, of New York; R. A. Smith, of Toronto; and H. Vincent Meredith, of Montreal. A large amount of the stock is supposed to be held in Toronto and Montreal.

The Mackay companies have been making alliances with so-called independents in the telephone field wherever possible, but inasmuch as J. P. Morgan & Co. are believed to be an important factor in the independent field through control of certain companies in Ohio and Indiana and the American Telegraph & Telephone has also been making inroads on the independent properties of the Pacific coast, the Postal interests are said to be having a hard time in this fight.

The Western Union and Postal interests are fighting each other for business at all points, but they seem to be able to maintain a mutual understanding that union men are to be blacklisted by both companies.

STATEMENT OF MR. HERMAN J. SCHULTEIS, ORGANIZER AND GENERAL COUNSEL FOR THE COMMERCIAL TELEGRAPHERS' UNION.

Mr. SCHULTEIS. I want to add just this one thing, in reference to whether the companies would have to employ more men or not. Our national president, Mr. Konenkamp, said this filing-time bill probably would not increase the number of employees. Now, I believe it would effect a very slight increase in the large offices. Wherever they have a habit of hanging a great number of messages on the hook and allow them to stay there so one man can do the work instead of two, it would mean an increase by one or two men in a few of the larger offices in the great cities; but that ought to be done and the general public is entitled to have it done.

The CHAIRMAN. If all the work that ordinarily comes in during six hours should happen to come in during one hour, they would just let the messages lay over and one man would take the six hours, if necessary, to do it.

Mr. SCHULTEIS. That is the idea. This filing-time requirement would prevent to a large extent this habit of hanging the messages on a hook and letting them stay there a number of hours, so that one man can send the whole batch, instead of putting on an extra man in the offices of a few of the great cities. It would not mean, however, a one-hundredth part of the actual additional cost that has been stated at a former hearing.

As has been said, they frequently send messages by mail. They put a 2-cent stamp on them, when perhaps they have charged $1.75 for transmitting it by wire. They have no complaint coming. They never return the difference—$1.73—to the unsuspecting sender of the message.

Aside from that, I wish to say to this committee that the companies have increased their stock and watered it to eight times its actual physical value. I can produce an expert witness to testify before this committee that the stock of the Western Union has been increased to that extent. There is enough water in the telephone stocks to float a battleship.

The CHAIRMAN. When you revise your testimony, will you attach a statement covering that and also a statement covering all the stockholders and bondholders and the dominating companies?

Mr. SCHULTEIS. I will; and it will sift down to one man who, without owning a majority of the stock, yet controls the entire system—not only the telegraph, but the telephone—J. Pierpont Morgan. He has purchased $40,000,000 worth of telephone stock in the last six or eight months and he is now trying to get control of the wireless telegraph as well.

Mr. JOHN A. MARTIN. Is that the same Morgan who owns all the railroads, ships, banks, and things like that?

Mr. SCHULTEIS. There are very few things of value around loose that he does not have an interest in. His agents or dummies are members of the boards of directors of nearly all the great predatory trusts, including the United States Steel Corporation. I have had some experience in following up that matter during the last 10 years. I had the honor to open the hearings before the Committee on Rules, which brought about the Stanley Steel Trust investigation, and so far everything charged before that committee has been proven, and the reduction in the price of steel will save millions annually to the American people in consequence of that investigation.

I thank you very much, Mr. Chairman and gentlemen, for this hearing. I will not detain you any longer, because this is such a just bill in the interest of the general public and it is such a modest request that it can not in reason be denied. It adds only one code word to each message to give the time when the message was filed. The public is entitled to it.

Since the hearings on the bill four years ago we have eliminated every objectionable feature, and if the companies come here and object to this bill we would be very glad to have another hearing. This bill is purely in the interests of the people of the United States, and it ought to be reported favorably, so as to come before the House and be acted upon during the present session.

In response to the suggestion of the chairman that I attach a statement covering the various stock-watering operations of the telegraph companies which happened during the absorption of the various independent companies benevolently assimilated by this great monopoly, I will ask that Prof. Parson's monograph on "The Telegraph Monopoly," which covers the whole subject matter, be printed as part of my remarks: also the last annual report of the directors of the American Telephone & Telegraph Co. to the stockholders, which brings their plant additions down to January 1, 1912; with diagrams of the Western Union system and the Bell and Western Union system which are now under one control. The companies' own report gives tables showing comparative statements of earnings and expenses which are in themselves an unanswerable argument in favor of the passage of this bill, and point out the absolute necessity of the governmental inquiry into the physical valuation of telephones and telegraphs before proper regulation, rate making, Government ownership, or control can obtain. A complete list of directors and stock and bond holders can be found in Moody's and Poor's Manuals, respectively, so I need not incorporate them here.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT SARTELL, MINN.

The next business on the Calendar for Unanimous Consent was the bill S. 7209, an act authorizing the construction of a bridge across the Mississippi River at the town site of Sartell, Minn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the village of Sartell, in the county of Stearns and State of Minnesota, a municipal corporation organized under the laws of the State of Minnesota, is hereby authorized to construct, maintain, and operate a wagon and foot bridge and approaches thereto, across the Mississippi River, at a point suitable to the interests of navigation, at the town site of Sartell, Stearns County, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

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

The Clerk read the following committee amendment:

Page 1, line 6, strike out the words "wagon and foot."

The amendment was agreed to.

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

On motion of Mr. COVINGTON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS THE CANO DE MARTIN PENA, P. R.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26114) to authorize the people of Porto Rico to construct a bridge across the Cano de Martin Pena, an estuary of the harbor of San Juan, P. R.

The Clerk read the bill, as follows:

Be it enacted, etc., That the people of Porto Rico be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Cano de Martin Pena, an estuary of San Juan Bay, P. R., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

Mr. OLMSTED. Mr. Speaker, reserving the right to object, which I do not intend to do, I call attention to the fact that this bill has been reported from a committee which has no jurisdiction over it, namely, the Committee on Interstate and Foreign Commerce.

Rule XI, paragraph 18, requires that all matters (excepting those affecting the revenue and appropriations) pertaining to the islands which came to the United States through the treaty with Spain, go to the Committee on Insular Affairs, but as this is a good bill, recommended by the Secretary of War, I shall not object to its passage, although it was referred to and reported from the wrong committee.

Mr. MANN. The gentleman from Pennsylvania is not correct in stating that this bill belongs to the Committee on Insular Affairs. The gentleman can find plenty of places in the rules where there is an apparent conflict, but all matters relating to the island possessions do not go to the Committee on Insular Affairs; for instance, lighthouses in Porto Rico go to the Committee on Interstate and Foreign Commerce, and the Committee on Interstate and Foreign Commerce has jurisdiction of all bridge bills on navigable streams, as it has over lighthouses.

Mr. OLMSTED. But that is begging the question as to lighthouses.

Mr. MANN. That has been the uniform practice ever since we have acquired Porto Rico.

Mr. COOPER. If the gentleman from Pennsylvania will permit me, I want to say that the committee got that jurisdiction. I never thought it ought to have it. The Committee on Insular Affairs, of course, ought to have charge of lighthouses in Porto Rico.

Mr. OLMSTED. It has it plainly under the language of the rule.

Mr. MANN. Under that language it may have it, but under the language relating to the Committee on Interstate and Foreign Commerce it does not have it.

Mr. COOPER. The language giving that jurisdiction to the Committee on Interstate and Foreign Commerce is general. The language conferring the authority over all matters in Porto Rico is specific, because it mentions particular territory.

The SPEAKER. The Chair would like to ask the gentleman from Wisconsin a question. Is Porto Rico a part of the United States or not?

Mr. COOPER. The island is specifically mentioned, and it is immaterial whether technically under the Constitution it is part of the United States. My own impression is that it is a part of the United States under the Constitution.

Mr. OLMSTED. The Democrat convention at Baltimore determined that it was not a part of the United States and excluded the delegates.

The SPEAKER. The Chair does not wish to get into any discussion over that, but they excluded the delegates from the Philippine Islands on the ground that it was not a part of the United States.

Mr. OLMSTED. I may have read the report wrong, but I read it in the newspapers.

The SPEAKER. If Porto Rico is part of the United States, as I think it is, what is the reason that the general bridge bill does not apply to Porto Rico as well as to Wisconsin and Missouri?

Mr. COOPER. Because the general bridge bill does not mention Wisconsin by name, and it does not pick out any particular State, but gives it generally to the committee.

The SPEAKER. Does not general jurisdiction go wherever the flag flies?

Mr. COOPER. Where a statute mentions specifically a geographical territory as distinguished from the general conferring of jurisdiction, without mentioning any particular territory except in a general way, that is considered an exception where the two are construed together. The rule mentioned by the gentleman from Pennsylvania [Mr. OLMSTED] gives jurisdiction over all matters relating to Porto Rico, and ought to include lighthouses, as it does other subjects, except appropriations.

Mr. UNDERWOOD. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Alabama demands the regular order, which is the question, Is there objection to this bill being now considered? [After a pause.] The Chair hears none.

The Clerk read the following committee amendments:

Page 1, line 3, strike out the word "people" and insert the word "Government."

Same line, strike out the word "are" and insert the word "is."

The committee amendments were agreed to.

Mr. MANN. Has the Clerk a copy of the bill with those amendments printed in it?

The SPEAKER. He has.

Mr. MANN. I have got tired of bills being sent in with different prints and with the amendments left out. The amendments the Clerk has read are not in the copy I have; and a dozen times lately the Clerk sometimes has the original copy and sometimes has the last copy. Gentlemen presenting bills ought to report them correctly, so they will be printed correctly, in order that Members of the House may know.

The SPEAKER. The Clerk has the bill with the amendments printed. Has the gentleman from Illinois the same bill?

Mr. MANN. Yes; without the amendments printed, reported to the House; and this is about the twelfth time I have had this occur lately.

Mr. OLMSTED. The copy I have has the amendments printed.

Mr. COVINGTON. Mr. Speaker, I think that, manifestly, must be an error on the part of some one other than the clerk of the committee, because every copy of the bill that I have obtained has the amendment plainly printed upon it.

Mr. MANN. Has the gentleman a bill with a star at the bottom of it?

Mr. COVINGTON. That is correct.

Mr. MANN. That means there has been a reprint. I have the first copy, and I am entitled to have the bill as it is reported to the House.

The SPEAKER. If everybody else has it——

Mr. MANN. Everybody else was slower than I was in this case.

The SPEAKER. It seems the other way, that everybody else is faster. [Laughter.]

Mr. MANN. Oh, no; they got the second print.

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

The amendments were agreed to.

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

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

The title was amended to read: "To authorize the Government of Porto Rico to construct a bridge across the Cano de Martin Pena, an estuary of the harbor of San Juan, P. R."

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

BRIDGE ACROSS CLEARWATER RIVER, LEWISTON, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 7315) to authorize the construction of a bridge across the Clearwater River at any point within the corporate limits of the city of Lewiston, Idaho.

The Clerk read the bill, as follows:

Be it enacted, etc., That the city of Lewiston, Idaho, or the State of Idaho, or the city of Lewiston in conjunction with the State of Idaho, or any subdivision of the State of Idaho, is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Clearwater River at any point suitable to the interests of navigation within the corporate limits of the said city of Lewiston, in the county of Nez Perce, in the State of Idaho, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. MANN. Mr. Speaker, first, I move to amend, in line 7, by striking out the word "any" and inserting the word "a."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, strike out the word "any" at the end of the line and insert in lieu thereof the word "a."

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

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the amended Senate bill.

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

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

The SPEAKER. Without objection, the title will be amended to conform to the text of the bill.

There was no objection.

AUDITOR OF RAILROAD ACCOUNTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5556) to amend "An act to create an auditor of railroad accounts, and for other purposes," approved June 19, 1878, as amended by the acts of March 3, 1881, and March 3, 1903, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the duties devolved on the Secretary of the Interior by the act of Congress approved June 19, 1878 (20 Stat., 169), entitled "An act to create an auditor of railroad accounts, and for other purposes," as amended by the act of Congress approved March 3, 1887 (21 Stat., 409), entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes," as amended by the act of March 3, 1903 (32 Stat., 1119), entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," be, and they hereby are, transferred to and devolved upon the Interstate Commerce Commission.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I wrote to the Interstate Commerce Commission the other day and asked them if they did not already have the power which it was proposed to transfer to them by this bill and whether, instead of transferring the power from the Secretary of the Interior to the Interstate Commerce Commission, we ought not to repeal the act which conferred the power upon the Secretary of the Interior. I have not yet received the information, but the Interstate Commerce Commission now has the broadest kind of latitude in reference to railroad accounts. It can require any kind of an account. It does under the law receive an annual account and it can require a special account at any time. We admit that these accounts ought not to be submitted to the Secretary of the Interior, and what is the use of requiring the railroads to submit them to the Interstate Commerce Commission? We ought to repeal the act.

Mr. COVINGTON. Mr. Speaker, I will state to the gentleman from Illinois that the bill was introduced in the Senate, I think, by Senator CLAPP, of Minnesota, and, without pretending to be an expert on interstate-commerce law, my original impression was that that commission had all of the power necessary to gather the required information.

Mr. MANN. I readily understand the Secretary of the Interior did not desire these reports to be made to him, and thereupon he has sent a bill in to have the transfer made to the Interstate Commerce Commission. That commission already has the power and we ought to repeal the original act requiring them to make a report to the Interior Department.

Mr. COVINGTON. Undoubtedly the object of this legislation was to relieve the Secretary of the Interior of duty devolving upon his office and to transfer those duties to the Interstate Commerce Commission. I think there is a very grave question whether they have not at the present time all of the power necessary to carry it into effect.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the present difficulty is that it requires one set of reports to be made by all of the railroads, which are utterly useless. This bill would still require the reports to be made, but only change the person to whom they are made. There is no use of their being made at all—not that I care whether they are required to make them or not, but the Interstate Commerce Commission would be required to file them, and to keep a clerk to keep track of them, when it is entirely unnecessary.

Mr. COVINGTON. Mr. Speaker, I suggest that this bill be passed over without prejudice until the gentleman from Illinois and myself can get definitely from the Interstate Commerce Commission the information whether there is anything in this character of a report that it is desired to have transmitted to them which they do not now obtain under existing law.

Mr. MANN. Mr. Speaker, I think I can offer an amendment which will remedy the matter. I suggest that we strike out of lines 3 and 4, on page 1, the words "the duties devolved on the Secretary of the Interior by," and strike out, on page 2, line 9, the words "they hereby are transferred to and devolved upon the Interstate Commerce Commission," and insert in lieu thereof "it is hereby repealed," so that it would read:

That the act of Congress approved June 19, 1878 (20 Stat., p. 169), entitled "An act to create an auditor of railroad accounts, and for other purposes," as amended by the act of Congress approved March 3, 1887 (21 Stat., p. 409), entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1882, and for other purposes," as amended by the act of March 3, 1903 (32 Stat., p. 1119), entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes," be, and it is hereby, repealed.

Mr. ADAMSON. Mr. Speaker, my own inclination is to accept the amendment, because if the Senate is not satisfied to concur in it, the two bodies can go to conference.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MANN. Mr. Speaker, I offer the amendment which I send to the desk.

The Clerk read as follows:

Page 1, line 3, strike out the words "the duties devolved upon the Secretary of the Interior by."

Page 2, lines 9 and 10, strike out the words "they hereby are transferred to and devolved upon the Interstate Commerce Commission," and insert in lieu thereof the words "it is hereby repealed."

The SPEAKER. The question is on agreeing to the amendments offered by the gentleman from Illinois.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the amended Senate bill.

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

CEMETERY TO FORT BIDWELL PEOPLE'S CHURCH ASSOCIATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 25878) granting lands for a certain cemetery to the Fort Bidwell People's Church Association, of the town of Fort Bidwell, State of California, and for other purposes.

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

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to transfer by patent to the Fort Bidwell People's Church Association (undenominational, and duly incorporated under the laws of the State of California), of the town of Fort Bidwell, Modoc County, in the State of California, the following-described tract of land in Modoc County, State of California, now a part of the Fort Bidwell Indian School Reservation, formerly the Fort Bidwell Military Reservation, and more particularly described as follows:

Commencing at the section corners common to sections 8, 9, 16, and 17, in township 46 north of range 16 east, Mount Diablo base and meridian; thence run west 2,428 feet to station No. 1 for a place of beginning; thence run south 76° and 29′ west, 712$\frac{1}{10}$ feet to station No. 2; thence run west 660 feet to station No. 3; thence run north, 76° and 29′ west, 712$\frac{1}{10}$ feet to station No. 4; thence run east 660 feet to station No. 1, the place of beginning; said described tract of land being located in the center of the north half of section 17, in township 46 north, range 16 east, Mount Diablo base and meridian, and contains 10$\frac{5}{10}$ acres, on condition that said land be held and used in trust as and for a cemetery.

That said patent for said land shall be issued to the Fort Bidwell People's Church Association, in trust for said town of Fort Bidwell, until such time as said town shall be incorporated, and for the Ancient Free and Accepted Masonic lodge and Independent Order of Odd Fellows lodge of said town, and for the interment of soldiers and Indians, as said cemetery is now actually platted and has been used for over 35 years for the purposes specified in this act.

That a right of way 60 feet wide is hereby granted over said Fort Bidwell Indian School Reservation from the nearest public highway from the said town of Fort Bidwell to said cemetery plat.

That the Fort Bidwell People's Church Association is hereby authorized and empowered to fully carry out the provisions of the trust hereby created by said patent by proper conyenances.

That said right of way shall be fenced on both sides with a good and substantial fence, and said cemetery plat shall be inclosed with a like fence, and all thereafter be maintained and cared for by the trustees and beneficiaries named in this act, without any expense whatever to the United States.

Mr. RAKER. Mr. Speaker, this bill is on the Union Calendar. I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments.

The Clerk read as follows:

Page 1, strike out all after the word "California" in line 8, and lines 1 to 19, inclusive, and the first two words in line 20, page 2, and insert in lieu thereof the following: "a tract of land in Modoc County, in the State of California, now a part of the Fort Bidwell Indian School Reservation (formerly the Fort Bidwell Military Reservation), lying in the north half of section 17, township 46 north, of range 16 east, Mount Diablo base and meridian, said tract not to exceed 10$\frac{5}{10}$ acres in extent, and to be further and particularly described by the Secretary of the Interior after a survey thereof has been made; said 10$\frac{5}{10}$ acres to cover and include the sites of the present military, Indian, and civilian cemeteries and the proposed extensions for Indian, civilian, and lodge purposes, on condition that said land shall be held in trust and used as and for a cemetery: *Provided*, That Indians having rights on said reservation shall have the right of interment in said cemetery without charge on the ground used for that purpose."

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

The Clerk read as follows:

Page 3, line 23, insert after the word "plat" the words "the location thereof to be subject to the approval of the Secretary of the Interior."

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

The Clerk read as follows:

Page 4, lines 7 and 8, after the word "fence," insert the words "without any cost or expense therefor to the Government," and in line 9, after the word "for," insert the words "in a neat and orderly condition."

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

Mr. MANN. Mr. Speaker, I move to amend, page 3, lines 13 and 14, by striking out the words "until such time as said town shall be incorporated."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 13, after the word "Bidwell," strike out the words "until such time as said town shall be incorporated."

Mr. MANN. I call the attention of the author of the bill to the fact that the bill as it stands conveys patent to this land to the Fort Bidwell People's Church Association in trust for said town of Fort Bidwell only until the town is incorporated, and so forth.

Mr. RAKER. Mr. Speaker, I accept the amendment. I think it is advisable and wise.

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

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

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

Mr. RAKER. Mr. Speaker, I ask unanimous consent to insert in the RECORD a petition of the citizens of Bidwell, which is part of the report, showing their promises in reference to this matter, so there can be no question hereafter about it.

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

Mr. RAKER. For and during a period of about 35 years the tract of land covered by the bill was part of the Fort Bidwell Military Reservation. The entire reservation contains 3,078.19 acres and was set apart by Executive order on October 19, 1866, for military purposes. This reservation was entered and connected with the public surveys on October 4, 1870. Thereafter a wood reservation of 640 acres in connection with the military reservation was established on February 7, 1871.

The military reservation was relinquished by the War Department on October 2, 1890, and came under jurisdiction of the Interior Department under the act of July 5, 1884 (23 Stat. L., 103).

The lands were not sold as provided in the act, but by joint resolution of Congress of January 30, 1897 (29 Stat. L., 698), the whole reserve was set apart for Indian school purposes and the Fort Bidwell Indian School was established and is still conducted in the old military building on this tract. The lands are not subject to allotment under any law or treaty. The tract of land described in the bill contains 10.5 acres, and the greater part of it has been used as a cemetery by the people of the community in and about Fort Bidwell as well as for the interment of veterans of the Grand Army of the Republic, wards of the Government, and others, all of which has been with the knowledge and consent of the United States Government authorities.

The town of Fort Bidwell and the surrounding community realize the expediency of erecting a permanent arrangement for a burial ground and guarantee to keep and maintain the cemetery at the expense of the community and without any cost to the Government. The right of way leading from the main road to the cemetery is to be located, subject to the approval of the Secretary of the Interior, and fenced at the cost and expense of the trustees and beneficiaries and without any expense to the Government. Thereafter the cemetery and plat are to be kept and maintained by the respective associations and the Government will be at no expense.

The bill reserves the right of the Government to inter such remains thereon and therein as it may see fit and proper, as well as providing for the interment of Indians, as the plat has been heretofore used for the time specified by the citizens of the community, the two lodges named, the Government, for the interment of soldiers and its wards, the Indians; and it will be thus maintained and used in the future.

The committee approves the objects and purposes for which this land is asked to be set apart, and therefore unanimously recommends the passage of the bill. The bill was submitted to the Department of the Interior, and the Hon. Samuel Adams, First Assistant Secretary, made favorable report thereon.

The following is the petition presented to the committee and to Congress by the citizens of Fort Bidwell, which shows the objects and purposes to which said cemetery plat has been put for over 35 years and the use to which it will be put in the future. That petition is as follows:

To the Congress of the United States in session assembled, and to the Department of the Interior of the United States, greeting:

We, the undersigned citizens of the unincorporated town of Fort Bidwell, county of Modoc, State of California, respectfully petition your honorable bodies in the manner following and upon the facts hereinafter set forth, believing that due consideration and proper action will be accorded thereunto.

For and during a period of about 35 years a certain tract upon the United States Indian School Reservation adjacent to Fort Bidwell has been used as a cemetery by the people of this community, as well as for the interment of veterans of the Grand Army of the Republic, wards of the Government, and others, all of which has been with the knowledge and consent of the United States Government authorities.

This community realizes the expediency of effecting a permanent arrangement for a burial ground, and in view of the fact that the tract above referred to has been permitted for such use, it does not appear advisable, for either sentimental or practical reasons, to secure other location.

There is no Grand Army of the Republic post, cemetery association, or other organization in this community able to undertake the financial or legal burdens incident to securing or conducting other burial premises than those now in use as such.

There is but one religious organization here, the People's Church, undenominational and duly incorporated, having a board of trustees and legally competent to execute a trust should such be conferred thereon.

Therefore we respectfully petition that the United States Government, through its National Congress and with the consent of the Department of the Interior, grant and transfer to the trustees of the said

People's Church, in trust for the town of Fort Bidwell, until such time as the said town shall be incorporated, that certain tract of 10½ acres in the said Indian school reservation, as is more fully described and set forth in the surveyed plat attached hereto, the same including that portion of said reservation which has been used hitherto for purposes of interment; conceding at all times the right of the United States Government to inter such remains thereon and therein as it may see fit and proper.

In consideration of the fact that this petition does not contemplate any enterprise for profit other than the general benefit and advantage which may accrue to the community as a whole by the granting thereof, it is desired that said grant be not conditioned upon the payment of any sum of money therefor to the United States Government.

Attached hereto are the signatures of practically all the representative citizens of Fort Bidwell, as well as the approval and recommendation of the official now in charge of said Indian school reservation, all of which are appended in good faith and without financial or selfish interest whatsoever.

Names.	Occupation.	Date arrived in valley.
R. F. McConnaughy	Farmer and stock raiser	1865
Henry Kroer	Merchant	1888
David C. Baty	Farmer	1864
Charles E. Leitread	Physician and surgeon	1909
A. G. Pollock	Special United States Indian agent (in charge Fort Bidwell Indian School).	
A. C. Lowell	Merchant	1879
C. D. Kafader	Clerk	1873
George H. Ayres	Engineer	1887
F. C. Smith	Clerk	1870
Ira P. Phillips	Liveryman	
J. O. Kafader	Blacksmith	1875
R. R. Baker	Bank cashier	1902
B. F. McCombs	Bank clerk	1909
Fred Schadler	Farmer	1883
Frank Bucher	Hotel keeper	Native.
J. Frank Kerr	Contractor	1911
Fred A. Ash	Stockman	1901
George W. Perkins	Confectionery store	1910
William Heard	Farmer	1883
E. P. Sessions	Stock raiser	1871
J. B. Baty	Farmer	1864
Hugh McManus	....do	1873
Ed. Conlan	....do	1871
H. D. Ayers	....do	1883
H. H. Peterson	....do	1866
E. G. Peterson	Stock raiser	1876
E. A. Peterson	....do	1882
Max Fulcker	Farmer	1866
L. S. Billups	....do	1868
George S. Smith	....do	1866
C. R. Decious	Assistant postmaster	1879
A. L. Munroe	Merchant	1877
A. S. Ward	Rancher	1901
H. B. Stephens	....do	1882
E. J. Fee	Stockman	1877
James Fee	....do	1867
W. F. Lemberger	Hotel	1879
James Williams	Merchant	1881
F. K. Smith	Rancher	1869
E. C. McConnaughy	Plumber	1876

There was a map presented to the Committee on Public Lands showing the location of the cemetery, and to that map was attached two affidavits which show the land desired and the objects and purposes thereof. Those two affidavits are as follows:

Map of the proposed cemetery grounds of the Fort Bidwell People's Church Association, Fort Bidwell Indian School (military) Reservation, section 17, township 46 north, range 16 east, Mount Diablo base and meridan, Fort Bidwell, Modoc County, Cal.

[July 10, 1912. Scale, 50 feet=1 inch.]

STATE OF CALIFORNIA,
County of Modoc, ss:

Charles Kirby Fox, being duly sworn, says he is the engineer employed to make the surveys of the cemetery grounds for the Fort Bidwell People's Church Association; that the survey of the said association's grounds, described as follows, located in the center of the north half section 17, township 46 north, range 16 east, Mount Diablo meridian, being a total area of grounds of 10.5 acres, was made under his direction as engineer employed by the association, and under its authority, on the 8th day of July, 1912, and that such survey is accurately represented on this map.

CHAS. KIRBY FOX,
Assoc. M. Am. Soc. C. E. Engineer.

Sworn and subscribed to before me this 10th day of July, 1912.

R. A. BAKER, *Notary Public.*

I, R. F. McConnaughy, do hereby certify that I am president of the Fort Bidwell People's Church Association; that Charles Kirby Fox, who subscribed the accompanying affidavit, is the engineer who was employed to make the survey by the said association; that the survey of said grounds, as accurately represented on this map, was made under authority of the association; that the association is duly authorized by its articles of incorporation to maintain the said grounds upon the location shown on this map; that the said grounds, as represented on this map, was adopted by the association, by resolution of its board of directors, on the 10th day of July, 1912, as the definite location of said grounds, described as follows: Located in the center of the north half section 17, township 46 north, range 16 east, Mount Diablo meridian, being a total area of grounds of 10.5 acres.

I certify that the grounds herein described are desired for the main purpose of cemetery uses; that we will keep the said grounds well fenced and in a neat and orderly manner; that we will maintain the soldiers' graves in a neat condition; that we will set aside the southern portion of the grounds for an Indian cemetery, and in lieu of a cash payment from them will allow the Indians to work out the fees, subject to the task approval of the superintendent of the local agency; that this map has been prepared to be filed for the approval of the Secretary of the Interior and Congress in order that our association may obtain a patent for our present Free and Accepted Masons, Independent Order of Odd Fellows, military, civilian, and Indian cemetery grounds and the proposed extensions thereto.

R. F. MCCONNAUGHY,
President of the Fort Bidwell People's Church Association.

Attest:
HENRY KOBER,
Secretary.

EXTENSION OF REMARKS.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 25832.

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

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was H. J. Res. 325, proposing an amendment to the Constitution of the United States.

The SPEAKER. Is there objection?

Mr. SULZER. Let us hear what it is.

Mr. COOPER. Mr. Speaker, I object to the consideration of any amendment to the Constitution of the United States under circumstances like this—by the Unanimous Consent Calendar. I object.

The SPEAKER. The joint resolution will be stricken from the calendar.

Mr. CLAYTON. Mr. Speaker, may I have the indulgence of the House for a moment? Several Members have asked me what this resolution is.

Mr. COOPER. Regular order!

The SPEAKER. The gentleman from Alabama asks unanimous consent to address the House for one minute. Is there objection?

Mr. COOPER. Mr. Speaker, I am anxious to finish up this day's session and the session of this Congress, and I want business transacted as expeditiously as possible.

Mr. CLAYTON. This amendment simply relates to the limitation of the President's eligibility to one term of six years.

The SPEAKER. The gentleman from Wisconsin objects to the unanimous consent for the gentleman to make an explanation. The Clerk will call the next bill.

RIGHT OF WAY ACROSS PORT DISCOVERY BAY, WASH.

The next business on the Calendar for Unanimous Consent was the bill (S. 5808) granting a right of way across Port Discovery Bay United States Military Reservation to the Seattle, Port Angeles & Lake Cresent Railway, of the State of Washington.

The SPEAKER. Is there objection?

Mr. KAHN. Mr. Speaker, I move that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. It is too early for that motion. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none. The gentleman from California asks unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Seattle, Port Angeles & Lake Crescent Railway, of the State of Washington, a corporation created under and by virtue of the laws of the State of Washington, its successors and assigns, be, and the same is hereby, empowered to survey, locate, and maintain a railway, telegraph, and telephone line through the Port Discovery Bay United States Military Reservation, in the State of Washington, across section 1, township 29 north, range 2 west of the Willamette meridian, and across sections 35 and 36, township 30 north, range 2 west of the Willamette meridian.

SEC. 2. That said corporation is authorized to take and use, for all purposes of a railway, telegraph, and telephone line, and for no other purposes, a right of way, not to exceed 100 feet in width, through said Port Discovery Military Reservation, as aforesaid, and a right to use other additional ground, when cuts and fills may be necessary for the construction and maintenance of said roadbed, or for the location of station houses, not exceeding 50 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill, or necessary for such station houses: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation, including any necessary station houses, of said railway, telegraph, and telephone lines, and the use and enjoyment of the rights and privileges herein granted; and when any portion thereof shall cease to be so used such portion shall revert to the United States, from which same shall be taken: *Provided further*, That the Seattle, Port Angeles & Lake Crescent Railway, of the State of Washington, will fence its right of way and will provide and maintain necessary and suitable crossings, the construction of the fences and crossings to be in accordance with such requirements as may be made by the Secretary of War: *Provided further*, That any corporation having

a franchise for a railway, telegraph, or telephone line in the vicinity of the proposed line of said railway may, upon securing a license from the Secretary of War, use the track and other construction herein authorized to be placed upon the reservation upon the payment of just compensation; and if the parties concerned can not agree upon the amount of such compensation, the sum or sums to be paid for said use shall be fixed by the Secretary of War: *Provided further*, That said corporation shall pay to the United States such annual compensation for the use of the land hereby granted as may be determined by the Secretary of War to be just and reasonable: *Provided further*, That the United States reserves the right to occupy the land covered by this grant, or any portion thereof, whenever, in the judgment of the Secretary of War, such occupation may be necessary for military purposes: *Provided further*, That the right of way and other privileges granted by this act shall be subject to the regulation and control of the Secretary of War, and shall be inoperative, null, and void unless the said railway company shall complete the construction of and have in use its tracks within three years from the date of the passage of this act: *And provided further*, That the said Seattle, Port Angeles & Lake Crescent Railway, of the State of Washington, shall comply with such other regulations or conditions as may from time to time be prescribed by the Secretary of War.

SEC. 3. That the location and width of the right of way and of the additional areas granted shall be subject to the approval of the Secretary of War prior to the commencement of work under the grant hereby made.

SEC. 4. That the Congress reserves the right to alter, amend, or repeal this act.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 7, after the word "survey," insert the word "and"; after the word "locate," strike out the words "and maintain." Page 2, line 3, after the word "meridian," insert the words "and is hereby granted a revocable license to maintain the same, said license to remain in force during the pleasure of Congress." Page 2, line 6, after the word "is," strike out the word "authorized" and insert the word "licensed." Page 2, line 8, after the word "way," strike out the words "not to exceed 100 feet in width." Page 2, line 17, after the word "houses," strike out the words "not exceeding 50 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill, or necessary for such station houses," and insert "*Provided*, That such rules and regulations as the Secretary of War may from time to time prescribe." Page 2, line 18, after the word "taken," insert the words "under said license." Page 4, line 12, strike out the word "grant" and insert the word "license"; strike out the word "made" and insert the word "granted."

Mr. DIFENDERFER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California——

The SPEAKER. It is too late to reserve the right to object. Unanimous consent has been just given to consider the bill and also to consider it in the House. The gentleman can offer an amendment if he wants to.

Mr. KAHN. Mr. Speaker, this bill has the approval of the War Department. It is so amended as to follow the form that bills of this character should take hereafter, in the opinion of the Committee on Military Affairs. The rights of the Government are thoroughly protected by this bill. It grants a revocable license instead of a grant in fee simple. The company is made to pay a certain rental for the use of the land over which it is to pass. The report of the Committee on Military Affairs is unanimous in favor of this bill.

Mr. DIFENDERFER. I would like to ask the gentleman, is it not a fact this is a private matter—a private bill?

Mr. KAHN. The bill itself?

Mr. DIFENDERFER. Yes, sir.

Mr. KAHN. Well, no; not altogether; bills of this kind have always been placed on the Union Calendar. They have always been regarded as public bills. Of course it is a private corporation that is constructing this line, but the Secretary of War stated in a letter which he sent to the Senate committee that it was desirable to have the line go across the reservation, because it would enable a great many people who live thereabout to have railroad communication with the town.

Mr. HUMPHREY of Washington. Will the gentleman yield just a moment?

Mr. KAHN. Certainly.

Mr. HUMPHREY of Washington. This railroad is located in the district of my colleague [Mr. WARBURTON], who has been called home on account of important business. But I want to say to the House that this railroad goes into a section that is called the Olympic Peninsula, on the west side of Puget Sound, where they are greatly in need of railways. I will state to the committee the bill is of very great merit, and it ought to be passed at once.

The SPEAKER. Without objection, the Chair will put the amendments en bloc.

The amendments were agreed to.

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

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

ENTRIES ON OIL AND GAS LANDS.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to recur to page 42, Calendar No. 399.

Mr. OLMSTED. If the gentleman will wait until we get past the next bill——

Mr. COVINGTON. Reserving the right to object, I would like to ask the gentleman if he would be satisfied until he gets to the end of the calendar?

Mr. HOWELL. Yes.

Mr. MANN. I think this bill will take but a moment.

Mr. HOWELL. It will take but a minute.

Mr. OLMSTED. Take it up after the next bill.

Mr. MANN. Who objects?

Mr. OLMSTED. I object until the next bill is passed.

Mr. MANN. They will not take it up, because I am going to object to that anyway.

Mr. OLMSTED. So am I.

NORTH RIVER BRIDGE CO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4978) entitled "An act to supplement and amend the act entitled 'An act to incorporate the North River Bridge Co. and to authorize the construction of a bridge and approaches at New York City across the Hudson River, to regulate commerce in and over such bridge between the States of New York and New Jersey, and to establish such bridge a military and post road,' approved July 11, 1890."

The SPEAKER pro tempore (Mr. FERRIS). Is there objection?

Mr. OLMSTED. I object.

Mr. ADAMSON. I would like the gentleman to withhold until I can make a statement.

Mr. OLMSTED. This simply revives an act of 22 years ago, and it has been revived from time to time. Nothing has ever been done, and it ought not to pass under unanimous consent.

Mr. ADAMSON. Mr. Speaker, I would like to have the gentlemen interested in it here to explain. I do not think we ought to take advantage of their absence.

Mr. MANN. I object, Mr. Speaker.

Mr. SULZER. Mr. Speaker, I ask unanimous consent, as the gentleman from New York [Mr. GOLDFOGEL] is absent, that we pass the bill without prejudice.

Mr. MANN. I object. The bill can be put on the calendar later if they desire.

BRIDGE ACROSS HUDSON RIVER, NEW YORK CITY.

The next business on the Calendar for Unanimous Consent was the bill S. 5659, entitled "An act to supplement and amend an act entitled 'An act to authorize the New York and New Jersey Bridge Cos. to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey,' approved June 7, 1894."

The SPEAKER pro tempore. Is there objection to the consideration of the bill.

Mr. MANN. Mr. Speaker, I object.

Mr. SULZER. Mr. Speaker, I ask that this bill be passed without prejudice.

Mr. MANN. If the gentleman asks unanimous consent that it be passed on account of the absence of the gentleman from New York [Mr. MICHAEL E. DRISCOLL], or any other gentleman, I will not object.

Mr. ADAMSON. I made that request, because both he and his colleague [Mr. GOLDFOGLE] were on the subcommittee.

Mr. MANN. I did not understand the statement of the gentleman at all.

Mr. ADAMSON. I made the same request in regard to the gentleman from New York [Mr. GOLDFOGLE].

Mr. MANN. I notice the gentleman from New York [Mr. SULZER] is here. I do not see any other New York man here. It is a large, and a very able, delegation in Congress.

Mr. SULZER. Unlike some other gentlemen, "the gentleman from New York [Mr. SULZER]" is not always undertaking to be wiser than some one else and dictating to the Committee on Interstate and Foreign Commerce. The other two gentlemen are on that committee. To them was delegated the duty of studying out these two bridges, and the gentleman is allowing them to answer for their work.

BRIDGE ACROSS MISSISSIPPI RIVER, AITKIN COUNTY, MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26099) authorizing the towns of Ball Bluff, Libby, and Cornish, in the county of Aitkin, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.

The SPEAKER pro tempore. The Clerk will read the title.

The title was read.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the towns of Ball Bluff, Libby, and Cornish, municipal corporations organized and existing under and pursuant to the laws of the State of Minnesota, to build a bridge across the Mississippi River at a point suitable to the interests of navigation, from a point on the easterly bank of said river near the town line, between townships 51 and 52 north, to a point on the westerly bank of said river near the said town line, between townships 51 and 52 north, range 23 west, of the fourth principal meridian, all in the county of Aitkin, State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER pro tempore (Mr. FERRIS). The Clerk will report the committee amendment.

The Clerk read as follows:

Amend, page 1, line 6, by striking out the words "public highway."

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

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

Mr. MANN. Mr. Speaker, I move to amend line 6 by striking out the word "build" and inserting in place thereof the words "construct, maintain, and operate," and also inserting after the word "bridge," in the same line, the words "and approaches thereto."

Mr. ADAMSON. Mr. Speaker, an order for that change was made, and the omission of it was a clerical error. I hope the amendment will be adopted.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN.]

The Clerk read as follows:

Amend, page 1, line 6, by striking out the word "build" and inserting in lieu thereof the words "construct, maintain, and operate," and in the same line, after the word "bridge," inserting the words "and approaches thereto."

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

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

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

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

On motion of Mr. MILLER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

FIRST MONDAY IN SEPTEMBER A LEGAL HOLIDAY.

Mr. McCOY. Mr. Speaker, this next bill is put on as Senate bill 7649 and is referred to as being No. 374 on the Union Calendar. Now, Union Calendar No. 374 is the bill H. R. 25937, entitled "A bill making the first Monday in September a legal holiday."

The SPEAKER pro tempore. That is an error in printing the calendar. The Clerk has it corrected. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. MANN. Is that on the Unanimous Consent Calendar?

Mr. McCOY. I wish to call the attention of the gentleman to the fact that there is an error in printing here. The bill H. R. 25937 is No. 374 on the Union Calendar, and that is the number given here on the Unanimous Consent Calendar, but the title is not given correctly.

Mr. MANN. I do not follow the gentleman. What number is being called on the Unanimous Consent Calendar now?

Mr. McCOY. The bill H. R. 25936.

Mr. MANN. What number of the Unanimous Consent Calendar?

The SPEAKER pro tempore. The Chair is informed by the Clerk that that bill is not on the Unanimous Consent Calendar, but in lieu of that the printer, by mistake, has printed Senate bill 4679. That is also lower down on the calendar.

Mr. McCOY. Mr. Speaker, I call the attention of the Chair to the fact that the bill intended to be called up is the bill from the Union Calendar, No. 374. The bill H. R. 25937 is the bill I would like to have called up now and is bill No. 374 on the Union Calendar. The bill referred to at this place by title appears in its proper place on page 43 of the Unanimous Consent Calendar.

Mr. MANN. Does the gentleman desire to wait until it is reached there?

Mr. McCOY. I wish now to call up bill No. 374 on the Union Calendar. There has been a mistake in the printing.

Mr. MANN. Here is the situation, Mr. Speaker: One bill is put on the calendar twice. I do not see what warrant that is for calling up another bill that is not on the calendar at all.

Mr. McCOY. I want to call the gentleman's attention to the fact that if that were so without any question in the world I would not ask to call it up, but the gentleman will observe, on page 43 of the Unanimous Consent Calendar, where we now are, that the bill is referred to as No. 374 on the Union Calendar, and I want to call up the bill so numbered. There is a mix-up on it in that the number is correctly stated but the title of a different bill given, which appears a second time later on.

Mr. MANN. Nobody pays any attention to that part of it. If that were the only mistake that we have in the Unanimous Consent Calendar we would get along comfortably.

Mr. McCOY. I ask the gentleman, in view of that evident mistake in printing a title here, if I can not get unanimous consent to call up a bill, the correct number of which is here printed and which nobody is likely to object to?

Mr. MANN. I should object if the bill were on the calendar, Mr. Speaker, so far as that is concerned.

Mr. McCOY. Then that settles the whole proposition.

The SPEAKER pro tempore. What is the request the gentleman would like to prefer?

Mr. McCOY. I should like to have the bill H. R. 25937 considered at this place.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. McCOY] asks that the bill H. R. 25937, which appears on the Union Calendar, and which appears on the Unanimous Consent Calendar with the correct number but under another title, shall be considered as if it were on the Unanimous Consent Calendar at this point. Is there objection?

Mr. MANN. I think I shall have to object.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] objects, and the Clerk will report the next bill.

LIFE-SAVING STATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26005) to provide for the establishment of one life-saving station on the larger of the two Libby Islands, situated at the entrance to Machias Bay, Me.; one life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, Cal.; one life-saving station at Mackinac Island, Mich.; and one life-saving station at or near Sea Gate, New York Harbor, N. Y.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish additional life-saving stations on the sea and lake coasts of the United States, as follows, viz: One on the larger of the two Libby Islands, situated at the entrance to Machias Bay, in the State of Maine; one at Half Moon Bay, south of Point Montara and near Montara Reef, in the State of California; one at Mackinac Island, in the State of Michigan; and one at or near Sea Gate, New York Harbor, N. Y., at such points as the General Superintendent of the Life-Saving Service may recommend.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the amendments.

The Clerk read the committee amendments, as follows:

Insert as a new section at the end of the bill, page 2, the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide increased quarantine facilities at the port of Portland, Me., to cost not exceeding $43,880."

Mr. ADAMSON. Mr. Speaker, to meet any possible criticism of this amendment, I want to say that I offer it at the request of a sick Member, who has been connected with this House for a long time [Mr. ASHER C. HINDS]. It has the indorsement of the other Members of the Maine delegation. The Senators concur in the request, and the Secretary of the Treasury is satisfied that the authorization is urgent and necessary. I hope the amendment will be adopted.

The SPEAKER. The question is on the adoption of the amendment.

The amendment was agreed to.

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

The title was amended.

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

Mr. SAMUEL W. SMITH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore (Mr. FERRIS). The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SAMUEL W. SMITH. Mr. Speaker, in these days, when so much is being said about "bosses," I desire to insert in the RECORD Mr. Woodrow Wilson's views on the party machine, the bosses, and the incapacity of the masses to exercise political power:

MR. WOODROW WILSON'S VIEWS ON THE PARTY MACHINE, THE BOSSES, AND THE INCAPACITY OF THE MASSES TO EXERCISE POLITICAL POWER.

[From his chapter on "Party government," in Constitutional Government in the United States.]

They—the political parties—are absolutely necessary.

There are * * * so many officers to be elected that even the preparation of lists of candidates is too complicated and laborious a business to be undertaken by men busy about other things. Some one must make a profession of attending to it.

There must therefore be an exterior organization, voluntarily formed and independent of the law, whose object it shall be to bind them—the various officials—together in some sort of harmony and cooperation. That exterior organization is the political party. The hierarchy of its officers must supply the place of a hierarchy of legally constituted officials.

Whatever their faults and abuses, party machines are absolutely necessary under our existing electoral arrangements, and are necessary chiefly for keeping the several segments of parties together.

No party manager can keep his lieutenants to their business who has not control of party nominations.

It may be laid down as a political maxim that whatever assigns to the people a power which they are naturally incapable of wielding takes it away from them. They have under our Constitution and statutes been assigned the power of filling innumerable offices; they are incapable of wielding that power, because they have neither the time nor the necessary means of cooperative action; the power has therefore been taken away from them, not by law, but by circumstances, and handed over to those who have the time and the inclination to supply the necessary organization.

They (the officials of government) must * * * obey an outside master.

We have made it necessary that we should have "bosses" and that they and their lieutenants should assign offices by appointment.

It is an odd operation of the Whig system that it should make such party organizations at once necessary and disreputable, and I should say that in view of the legal arrangements which we have deliberately made, the disrepute in which professional politicians are held is in spirit highly unconstitutional.

(Mr. Wilson throughout his writings alludes to the Constitution of the United States as the "Whig system of government." He disapproves the Constitution and says, "No government can be successfully conducted on so mechanical a theory.")

The discipline and zest of parties has held us together and made it possible for us to form and to carry out national programs.

Have we had enough of the literal translation of Whig theory into practice, into constitutions?

We must decrease the number and complexity of the things the voter is called upon to do; concentrate his attention upon a few men whom he can make responsible, a few objects upon which he can easily center his purpose.

BRIDGE OVER LITTLE CALUMET RIVER, CHICAGO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26235) to authorize the city of Chicago to construct a bridge across the Little Calumet River, at Indiana Avenue, said city.

The Clerk read the bill, as follows:

Be it enacted, etc., That the city of Chicago, in the county of Cook and State of Illinois, a municipal corporation organized under the laws of the State of Illinois, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Little Calumet River, at a point suitable to the interests of navigation, at Indiana Avenue, in sections 33 and 34, township 37 north, range 14 east, in the county of Cook and State of Illinois, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

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

The SPEAKER. Is there objection?

Mr. BLACKMON. Reserving the right to object, I would like to ask if there is any expense to the Government attached to this matter by building this bridge?

Mr. MANN. There will be no expense attached to the Government.

Mr. BLACKMON. I would like to ask the purpose of the citizens of Chicago, if they expect to get any benefit from it?

Mr. MANN. The bill was introduced by me at the request of the Democratic administration of the city of Chicago to permit the administration to reconstruct a bridge over the Little Calumet River at Indiana Avenue.

Mr. BLACKMON. I shall not object. I merely wanted to know if there was any ulterior motive.

Mr. ADAMSON. I suppose that the gentleman from Alabama thought that the Republicans there might need something to bridge over their troubles. [Laughter.]

Mr. MANN. I do not know but that they will.

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

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

RELIEF OF INDIAN PRISONERS AT FORT SILL, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16651) authorizing the Secretary of War to grant freedom to certain of the Apache prisoners of war now being held at Fort Sill, Okla., and giving them equal status with other restricted Indians, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to grant freedom and free release to such individual members of the Apache prisoners of war on the Fort Sill Military Reservation, in Oklahoma, as may desire to return to the Apache Mescalero Indian Reservation in New Mexico, and to convert their proportionate part of such tribal moneys and property into money as soon as may be practicable, the same to be covered into the Treasury of the United States as the Fort Sill Apache prisoner of war fund, until such time as it may be feasible to reinvest it for their use and benefit.

SEC. 2. That immediately upon the payment into the Treasury of the United States of such funds and the granting to said Indians their full release and freedom by the War Department, the Interior Department shall at once acquire full jurisdiction over said Indians, the Indian funds, and all property, and the status of said Indians so freed shall be that of all other restricted Indians.

SEC. 3. That the Secretary of the Interior is hereby authorized to remove such of the Apache Indian Tribe as desire to return to their tribesmen in the Mescalero Apache Indian Reservation in New Mexico, and there establish them, as nearly as may be, on equal terms and on equal footing with the other Mescalero Apaches: *Provided*, That the Secretary of the Interior shall have full power to reinvest the moneys of such Apache tribesmen so removed in property similar to the property owned by them at Fort Sill as nearly as may be deemed practicable and feasible.

SEC. 4. That for such of the Apaches as do not desire to return to the Mescalero Apaches they may remain on the Fort Sill Military Reservation under such rules and regulations as the War Department may prescribe.

SEC. 5. That there is hereby appropriated, and made immediately available, out of any money in the Treasury of the United States not otherwise provided for, a sum of money, not exceeding $100,000, sufficient to carry out the provisions of this act.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object——

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to substitute Calendar No. 422, which is a Senate bill on the same subject (S. 6776) and almost identical, and pending the gentleman's reservation of an objection, I want to make a statement.

Mr. MANN. On what calendar is the Senate bill?

Mr. FERRIS. It is 422 on the Calender for Unanimous Consent.

Mr. MANN. Does not the gentleman think we are doing pretty well by these Indians without authorizing the Secretary of the Interior to purchase homesteads for them out of the General Treasury?

Mr. FERRIS. If I may, I will detain the House only a few moments; but this is such an important matter, and I know the facts so intimately that I think I can state them tersely and hurriedly, so that it will not detain the House but a moment.

In 1886 these Indians were captured and arrested in Arizona and New Mexico and taken as prisoners of war to Florida and kept there a few years, then they were taken to Alabama and kept there a few years, and then in 1894 they were placed in the hands of the military authorities at Fort Sill, Okla. They have been prisoners of war 26 years. There are only 30 out of the 267 original prisoners now alive, thereby making it apparent that nearly all of them have been born and reared in captivity. The War Department has recommended my bill and is very anxious to have something done with them. The officer, Maj. Goode, who has them in charge and the minister who preaches to them called on me and told me the conditions were such that they had been kept prisoners so long they were intermarrying.

It is, I am informed, a fact that brothers are marrying sisters and inbreeding, and it was a pitiable condition of affairs. He said the time had come and while it would cost money to give them allotments, still it ought to be done and done quickly. For 15 years they have been trying to make some solution of this matter, and this is the solution of the Indian Affairs Committee of the House and in the Senate. It has passed the Senate and the bill is here on the calendar. I hope the House will let us consider this bill and amend it by striking out everything after the enacting clause and putting in the bill this language which is recommended by the Treasury Department in their estimate. It only amounts to four or five lines, and it will put the whole matter in conference, so that these people can be freed, the bill made satisfactory to all concerned, and finally dispose of this vexatious question. The following is the language I would like to put in the bill so that the conferees may straighten it out:

For the relief and settlement of the Apache Indians now confined as prisoners of war at Fort Sill Military Reservation, on lands to be selected by them, the sum of $250,000 to be expended under such rules and regulations as the Secretary of the Interior may prescribe.

This is the language of the departmental estimate for the Indian appropriation bill of this year. My bill bears the favorable indorsement of all the departments, but I want it to be satisfactory to the New Mexico people also.

Mr. MANN. Two hundred and fifty thousand dollars.

Mr. FERRIS. I think it ought to be cut to $200,000, because the bill agreed on by both committees was $200,000, although the departmental estimate is $250,000, as the item just read discloses.

Mr. MANN. The bill introduced was $150,000, I believe, but the committee reported it in and made it $100,000.

Mr. FERRIS. There are two $100,000 items. There is one for $100,000 and there was one for $150,000 in the Senate bill, but the committee struck out $50,000, thereby making the Senate bill carry the same sum as the House bill. This matter should not wait longer.

Mr. MANN. Where is the other item in the Senate bill?

Mr. FERRIS. Section 5.

Mr. MANN. That is $150,000.

Mr. FERRIS. If the gentleman will read above, he will find that there is another $100,000 there.

Mr. MANN. Yes. Let us see what the situation is. We have men in confinement all over the United States in national penitentiaries, in State penitentiaries, and in local prisons of various sorts. We imprisoned these Indians for outrages which deserved imprisonment and have kept them for a considerable length of time. Gentlemen now desire to turn them loose and buy each one a farm and pay for it out of the Federal Treasury. Are we to do the same thing for every one who commits an offense in the United States and who manages to get into jail? When he gets out is it the intention to buy him a farm?

Mr. STEPHENS of Texas. Is the gentleman aware that only 30 of those Indians who were guilty of these things are now alive, and that these young men, women, and children have been born since?

Mr. MANN. Let them get out and earn their living?

Mr. STEPHENS of Texas. And the gentleman will punish the children for the sins of the fathers?

Mr. MANN. Not at all. Is it punishment to a man to be turned out of confinement? Is that what I understand the gentleman's position to be? If we let them go free, we have to pay them for the privilege? I am willing to give them a chance to go to the other place, where the other Indians are, but the gentleman says that most of them want to go there.

Mr. COVINGTON. What "other place" does the gentleman mean?

Mr. MANN. Oh, I am not speaking about the Great Beyond. I am speaking about sending them into Arizona, I believe, which is next to the "other place." I can see no reason why when we turn men out of confinement we should pay them to get out of confinement.

Mr. FERRIS. Mr. Speaker, I have an answer to the gentleman's query and to his statement, which I think will satisfy even the gentleman himself. Those people were arrested 26 years ago, and only 30 of them are now living who were then alive when these atrocities were committed. There are 257 of them. Does the gentleman want to take a defenseless people, born in confinement, and apply the same rule to them that he would to a criminal? I think it the patent duty of Congress to first release these Indians; and, second, it is our duty to start them out with a little piece of land as other Indians have. These women and children are not responsible for the sins of their ancestors. Their unfortunate condition should excite pity rather than wrath. The Interior Department is for my bill and has so reported in strongest terms. The War Department is for my bill and has so reported in strong terms. The Indians, the Indian Office, the officer in charge, the Indian-rights people, and everyone who knows the facts realizes that this problem must be met. It ought to be met now—it is almost a disgrace to let it go over another year.

Mr. MANN. These people have been in confinement, but they have been on a military reservation, supported at the expense of the Government for 26 years—not in real confinement. The gentleman says they are worthless; they can not earn a living. Let them go out and earn a living or do without.

Mr. CARTER. Mr. Speaker, will the gentleman from Oklahoma yield?

Mr. FERRIS. Certainly.

Mr. CARTER. I just want to go back a moment to the reason for the arrest of these prisoners. To begin with, these people occupied Arizona and New Mexico for hundreds and hundreds of years. The white man came and found them there. The President issued a proclamation confining the Indians down to a reservation, something they had never been accustomed to. They went on the warpath, and for doing that they were taken prisoners. It is true they did kill white people. It is true they murdered and committed a great many crimes which they would not have committed if they would have had the white man's civilization. But they were fighting for the same thing that man has fought for ever since his creation. They were fighting in defense of their homes and trying to save their homes for their wives and children. And now, after they have been taken and kept prisoners for all these many years, does the gentleman from Illinois, fair man that he is, think the children and the grandchildren ought to be punished for the sins of the grandparents?

Mr. MANN. Certainly not. The children can get out. I do not want to confine them any longer. The gentleman seems to take the position that because these people committed outrages we are the ones to blame when we took them prisoners, and, therefore, we should pay their children now for the damages we did to their forefathers 26 years ago.

Mr. CARTER. What has become of the homes which these people originally had? They are now occupied by the white people, the people with whom they had the war, and these white people to-day, I presume, are in a prosperous condition, while the Indians are practically in jail and have no home.

Mr. FERRIS. Mr. Speaker, these women and children that have been confined there all of their lives now express an earnest desire to be free. They are the Indian wards of the Federal Government. I think the people of this country will never be satisfied until those people are freed and given an allotment of land.

Mr. MANN. What does the gentleman mean by "confined"?

Mr. FERRIS. They have to come up and answer a roll call. They have no civil or political rights of any kind. They are prisoners of war. The gentleman knows the definition of prisoner of war. They are not held there in chains. I think the War Department has treated them very well. I do not criticize the War Department. They have asked Congress to act for a long time. The fault is with Congress.

Mr. MANN. The only difficulty is that the War Department has not made them go to work.

Mr. FERRIS. The War Department would readily turn them loose to-morrow, but they have some cattle and a little property, and if you turn those Indians loose after having been in confinement all of their lives somebody would grab up their property and they would be in the poorhouse in a short time. No one desires that, I am sure. The question must be met.

Mr. MANN. As I understand it, the Indians on the Mescalero Apache Reservation are willing to receive these Indians back.

Mr. FERRIS. That is true. It has been submitted to them. Their agent has been consulted also.

Mr. MANN. And this bill provides for an appropriation of $100,000 to transfer such of these prisoners as wish to go to the Mescalero Reservation.

Mr. FERRIS. Yes. Although I am not at all headstrong about my bill, I merely want the matter settled and the Indians freed and allotted some land.

Mr. MANN. Let them all go if they want to, or go somewhere else and earn their living, without asking us to buy farms for them—perhaps in Illinois.

Mr. FERRIS. Oh, no.

Mr. MANN. But there is no limitation in this bill.

Mr. FERRIS. The gentleman could not buy many farms in Illinois with $200,000 for 257 people.

Mr. MANN. The gentleman does not know how many of those Indians would go on the Mescalero Reservation. There is no limitation in the bill.

Mr. FERRIS. Mr. Speaker, I can give the gentleman the facts. The War Department only a short time ago took an expression from the Indians there, and there were only some 67 who desired to remain in Oklahoma, and the others desired to return. I even have the names of those who desired to remain, and the others who desire to go have voted four times in the last two years. I hope the gentleman will let us consider the bill with such amendments as may be hurriedly prepared and pass the bill. It is too much to keep people longer than 26 years in confinement for crimes which they never committed. It is too much to longer keep people as prisoners who were born into conditions for which they were in no manner responsible. We rail at Mexico and other countries that abuse their prisoners. I ask if we are not subjecting ourselves to just criticism to longer permit this to go on? We should not wait until next Congress to settle the matter; it should be settled now.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The bill goes off the calendar.

PORT OF ENTRY OF NEW ORLEANS, LA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23112) to extend the limits of the port of entry of New Orleans, La.

The Clerk read as follows:

Be it enacted etc., That the limits of the port of entry of New Orleans, La., be, and the same are hereby, extended to include that portion of the parish of St. Bernard within the following boundaries: Beginning at a point where the boundary line between the parishes of Orleans and St. Bernard intersect the east bank of the Mississippi River; thence along said east bank to where the boundary line between lots 16 and 17 of the Coriune and Myrtle Grove plantations (according to a plan by A. C. Bell, civil engineer, July 11, 1893, and annexed to an act of sale by A. L. Richardson to Jules Mereaux, passed before Charles T. Soniat, Esq., notary public in the parish of Orleans, January 2, 1894) intersects said east bank, said point of intersection being at a distance of 4 miles and 4,280 feet below the point at which the boundary between the parishes of Orleans and St. Bernard intersects said east bank; thence along said boundary between said lots 16 and 17 a distance of 4,000 feet; thence along a line parallel to the Mississippi River to the point where said boundary line intersects the boundary between the parishes of Orleans and St. Bernard; thence along said boundary line to the point of beginning.

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

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

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

EFFECTS OF DECEASED MARINE-HOSPITAL PATIENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22209) providing for the disposition of effects of deceased patients of the Public Health and Marine-Hospital Service and of certain deceased officers and men connected with the Army.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I desire to ask whether the author of the bill has made any examination into the effect of auditing these small accounts in the Treasury, whether it will produce an additional amount of accounting and bookkeeping?

Mr. COVINGTON. I think not.

Mr. MANN. There may be kept, possibly, some small amounts in trust for people and——

Mr. COVINGTON. I will state that the Secretary of the Treasury himself and the Auditor for the War Department, neither of whom, I apprehend, would be apt to recommend a measure which provides for more accounting, stated that the legislation was necessary; that they could not sell these articles which belonged to deceased patients of the Public Health and Marine-Hospital Service and certain deceased officers and men connected with the Army.

Mr. MANN. I have no objection to that at all. I do not think I should object in any event, but I am afraid it will produce a lot of bookkeeping.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That unclaimed effects of deceased patients of the Public Health and Marine-Hospital Service, seamen of merchant vessels of the United States, consisting of jewelry or other articles, shall be delivered to a collector or surveyor of customs of the district in which the death of the patient occurred; and for the protection of the estates of these persons the Secretary of the Treasury may order such effects to be sold and pay the expenses of such sale out of the proceeds: *Provided*, That application for the effects shall not have been made by the legal claimants within two years after their receipt. The proceeds of such sales, together with any money effects of the deceased, shall be deposited in the Treasury in trust for the legal claimants, to be paid to them on the certificate of the Auditor for the Treasury Department, who shall act as conservator of these estates, with authority to indorse all bills of exchange, promissory notes, and other evidences of indebtedness due to such estates, and to take such steps as may be necessary for their collection.

SEC. 2. That unclaimed effects of deceased officers and enlisted men of the Army and civilian employees of the War Department which have heretofore or may hereafter be received at the Treasury Department may be sold by order of the Secretary of the Treasury, and the expenses of such sales paid out of the proceeds thereof: *Provided*, That application for the effects shall not have been made by the legal claimants within two years after their receipt. The net proceeds of such sales, together with any money effects of the deceased, shall be deposited in the Treasury in trust for the legal claimants, to be paid to them on the certificate of the Auditor for the War Department, who shall act as conservator of these estates, with authority to indorse all checks, notes, bills of exchange, and other evidences of indebtedness due to such estates, and to take such steps as may be necessary for their collection.

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

The SPEAKER. That is the end of the Unanimous Consent Calendar.

Mr. MANN. Mr. Speaker, I ask unanimous consent, as long as this will probably be the last unanimous-consent day, that we go to the end of the Unanimous Consent Calendar.

The SPEAKER. The gentleman from Illinois asks unanimous consent that we go to the end of the calendar notwithstanding the fact that some of these bills have not been on the calendar three days. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, there is one very long bill here.

The SPEAKER. By the way, did the gentleman from Utah ever get his bill up?

Mr. HOWELL. Mr. Speaker, I want to ask to take it up at the proper time.

The SPEAKER. This is the accepted time right now.

AGRICULTURAL ENTRIES ON OIL AND GAS LANDS.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to recur to Senate bill 3045.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

A bill (S. 3045) to provide for agricultural entries in oil and gas lands.

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

Mr. HOWELL. Mr. Speaker, now I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

Mr. MANN. Mr. Speaker, the bill was read awhile ago.

The SPEAKER. Well, we will waive it, then.

Mr. HOWELL. Mr. Speaker, there are some committee amendments.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 4, strike out the words "exclusive of Alaska" and insert the words "in the State of Utah. Page 1, line 8, after the word "selection," insert the words "by the State of Utah under grants made by Congress and." Page 2, line 3, after the word "act," insert the words "and to disposition in the discretion of the Secretary of the Interior, under the law providing for the sale of isolated or disconnected tracts of public lands." Page 2, line 12, after the word "acres," strike out the words "and all homestead entries made hereunder shall be subject to the conditions as to cultivation and residence of entries under the act approved February 19, 1909, entitled "An act to provide for an enlarged homestead." Page 3, line 16, after the word "same," insert the words "upon rendering compensation to the patentee for all damages that may be caused by prospecting for and removing such oil or gas."

Mr. MANN. Mr. Speaker, I objected to this bill awhile ago and have withdrawn the objection with some hesitation. I objected before because I desired to insert a reservation of coal as well as of oil and gas. I am informed by the gentleman, as a matter of fact, that there is no likelihood of there being much coal and, in fact, of there being much oil or gas there. The bill only applies to a small section of Utah. As a matter of fact, I think it is creating a bad precedent. We have shortly got to reserve, in my judgment, the minerals under the ground and possibly the valuable metals when we grant title, so that those natural resources shall be retained for the benefit of the community at large.

The SPEAKER. Without objection, the Chair will put all of the committee amendments en bloc.

The amendments were agreed to.

Mr. HOWELL. Mr. Speaker, I desire to submit some amendments to correct the text of the bill.

The SPEAKER. The gentleman will report the amendments.

Mr. HOWELL. They are as follows:

On page 2, line 23, strike out the word "any" and insert the words "and the."

After the word "State," on the same line, insert the words "of Utah."

Page 3, line 2, after the word "act" insert the words "or under grants made by Congress."

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

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

Mr. MANN. Mr. Speaker, I move to strike out the proviso at the bottom of page 3 and at the top of page 4.

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

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

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. HOWELL. Yes.

Mr. STEPHENS of Texas. I would like to know why this bill is not made to cover all the States as well as the State of Utah. Why should not all of these oils and gases be reserved in the other States as well as in your State?

Mr. HOWELL. The question of the proper disposition of oil-bearing land is still an open question, and Members from the

States having such lands did not desire to have such provisions as in this bill apply to their States.

Mr. STEPHENS of Texas. Why should it not apply to all of the other States?

Mr. HOWELL. Because the Representatives from the States are not in favor of the legislation.

Mr. STEPHENS of Texas. But the land belongs to the Government.

Mr. MANN. The Senate bill as it came over here had it to apply to all the States, but the gentlemen decided to try it first on the dog.

The SPEAKER. The question is on agreeing to the amended Senate bill.

The bill as amended was read a third time and passed.

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

EXTENSION OF REMARKS.

Mr. COVINGTON. Mr. Speaker, before we reach the next bill I want to ask unanimous consent to extend my remarks on the bill after the bill that was passed and include therein a certain report.

The SPEAKER. Is there objection?

There was no objection.

Mr. SAMUEL W. SMITH. Mr. Speaker, so much is being said and written about the high cost of living and so little about the cost of living high I desire to insert in the RECORD an editorial from the Detroit Courier of August 16, entitled "The truth about high living":

THE TRUTH ABOUT HIGH LIVING.

It would be futile to deny that the cost of living has risen to a very considerable degree within the last 10 years. There is also no question that this increased cost has been a burden to many people and has aroused a vague but bitter feeling. Regardless of the fact that the higher cost of living is a condition existing in every civilized country in the world, the Democrats have tried to place the blame on the tariff. Yet in Great Britain, a free-trade country, the complaints against the higher cost of living have been far more vehement than in the United States.

No one who considers the matter fairly and judges from facts instead of theories will believe that the tariff is responsible. The Wall Street Journal is a financial publication and therefore nonpartisan. Yet it deprecates the attempts to create the belief that tariff reduction toward free trade and assaults upon corporations will be effective to reduce the cost of living. After referring to the continued decrease of the per capita production of wheat, which is a world-wide condition, it says:

"Here is a basic clause for the high cost of living, and one which our loose-lipped talkers about the iniquities of the tariff and the trusts altogether fail to comprehend. Producers are growing fewer with an ever increasing number of mouths to feed, and the problem would be exactly the same if the whole world turned free trade.

"Of course, this is not the only cost of high living, but it is perhaps the most important, and is a matter which deserves the greatest consideration by public men of all classes. The condition is a vital one, and any remedy less than an actual return to the land must necessarily be merely a palliative."

In conjunction herewith, attention may be called to timely, instructive information bearing directly upon the higher prices of meat, which is contained in a bulletin just issued by the Bureau of the Census. It shows the decrease of dairy and food animals in the United States in the decade ended with 1910, the last census year.

The number of cattle decreased from 67,719,410 in 1900 to 61,803,866 in 1910. The numerical decrease was 5,915,544. The decrease in terms of percentage was 8.7.

The number of swine decreased from 62,868,041 in 1900 to 58,185,576 in 1910, the numerical decrease being 4,682,365, and the percentage 7.4.

Sheep decreased 9,055,852, or 14.7 per cent, from 61,503,713 to 52,447,861.

In the same decade the population of the United States increased from 75,994,575 to 91,972,266; that is, 15,977,690, or about 20 per cent.

It is explained in the bulletin that the comparison between 1900 and 1910 is not altogether accurate, for the reason that in the former year the enumeration was as of June 1, while that of the latter class was as of April 15. Had the census of 1910 been taken as of June 1, the number of cattle, swine, and sheep would have been greater, for the reason that within the six weeks from April 15 to June 1 a larger number of such animals are born.

But it can be readily seen that after all possible allowance is made for the difference in dates—even if it be assumed that an enumeration at the later date would have shown no decrease—the 20 per cent increase in population, and the consequent corresponding increase in demand for meats and butter would be sufficient reason for the higher prices of those commodities.

These are simple and convincing facts which those who are trying for partisan purposes to fool the people into believing that tariff reduction and indiscriminate attacks on industries will bring down the cost of living strive to conceal.

LANDS IN THE GLACIER NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 1679) to accept the cession by the State of Montana of exclusive jurisdiction over the lands embraced within the Glacier National Park, and for other purposes.

The SPEAKER. Is there objection to consideration of the bill?

Mr. FOSTER. I object.

Mr. PRAY. Will the gentleman withhold his objection for a moment?

Mr. FOSTER. I will for a moment.

Mr. PRAY. Mr. Speaker, this bill was read at length the last time it was on the calendar. I have an amendment or two which I think will dispose of any objection Members might have to it. It is a very important measure. The Secretary of the Interior wants this legislation if he can possibly get it, because he is unable to administer the park. Congress has not yet accepted jurisdiction. The Secretary is very much handicapped because he can not enforce rules and regulations for the government of the park.

I sincerely hope that the gentleman will not object to the consideration of the bill at this time in view of its importance. While I am satisfied that the objections raised the other day when the measure was being discussed are not well taken, in order that the bill may not fail of passage at this session I have prepared two amendments consisting of only two or three lines each which will absolutely do away with the objections made to consideration on the last call of the calendar. I can explain these amendments in a few words. One strikes out the lines at the end of section 4 carrying the penalty and provides for punishment on conviction according to section 6. This section as amended by the House committee carries the penalty for the commission of a misdemeanor under the Federal statute. The second amendment is to section 8 and simply strikes out "of section 6" at the bottom of page 7. The reason for this amendment is apparent from reading the section.

This is probably the only chance we shall have to consider the bill, and I therefore earnestly urge the gentleman to withdraw his opposition. This is not like an entirely new matter of legislation. There are several good precedents for it. There is the Yellowstone National Park act of 1904, upon which this bill is based, also the act for the administration of the Hot Springs Reservation. The department has found no difficulty in administering either of these laws, as appears from statements contained in the report on this bill. If the gentleman has examined the reports made by both departments of the Government in connection with the committee amendments and those I have just proposed he must be convinced that there now exists no reasonable ground of opposition to the passage of the bill at this time. On the other hand, there is every reason why it should pass, as will be seen from the statement made by the Secretary of the Interior.

The department must have this legislation in order that the park may be properly administered in the manner clearly intended by Congress in the act creating it. This bill was read at length and discussed the last time it was reached on the calendar; therefore is it necessary to take the time now to read it again?

Mr. FOSTER. I thought so a while ago, and I do not think it fair to pass a bill without reading it.

Mr. PRAY. I will say further that both the Secretary of the Interior and the Attorney General's Office have examined the bill, and they are for it.

Mr. FOSTER. I do not think we can take it up to-night.

Mr. RAKER. Will the gentleman allow a short discussion of the bill?

Mr. FOSTER. No; not to-night.

Mr. RAKER. It is an awfully good bill. [Laughter.]

COAL-MINING LEASES IN OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (S. 3843) granting to the coal-mining companies in the State of Oklahoma the right to acquire additional acreage adjoining their mine leases, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. AKIN of New York and Mr. FOSTER objected.

JUDICIAL DISTRICT OF NEW HAMPSHIRE.

The next business on the Calendar for Unanimous Consent was the bill (S. 4679) to amend section 95 of the "Act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The SPEAKER. Is there objection?

Mr. MANN. What is that bill?

The SPEAKER. Senate bill 4679.

Mr. MANN. I ask to have the bill reported, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 95 of the "Act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, be, and hereby is, amended to read as follows:

"SEC. 95. The State of New Hampshire shall constitute one judicial district, to be known as the district of New Hampshire. Terms of the district court shall be held at Portsmouth on the last Tuesday in October, at Concord on the last Tuesday in April and the second Tuesday in December, and at Littleton on the third Tuesday in September."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

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

On motion of Mr. McCOY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

RELIEF OF THE APACHE INDIANS, OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (S. 6776) for the relief of the Apache Indians held as prisoners of war on the Fort Sill Military Reservation, in Oklahoma, and for other purposes.

The Clerk read the title of the bill.

Mr. FERRIS. Mr. Speaker, that bill involves the same question as that which the gentleman from Illinois [Mr. MANN] referred to, and I would like to have it passed over without prejudice.

The SPEAKER. Without objection, the bill will be passed over without prejudice.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

RAILROAD ACROSS CERTAIN LANDS IN COMANCHE COUNTY, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 26236) conferring upon the Lawton Railway & Lighting Co. the privileges, rights, and conditions heretofore granted the Lawton & Fort Sill Electric Co. to construct a railroad across certain lands in Comanche County, Okla.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from California [Mr. RAKER] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the privileges and grants heretofore conferred upon the Lawton & Fort Sill Electric Railway Co., by virtue of the acts of March 28, 1910 (36 Stat., p. 268), and June 22, 1910 (36 Stat., p. 588), to construct and operate a railway, telegraph, telephone, and trolley lines through the Fort Sill Military Reservation and the public lands reserved for Indian school purposes, all in Comanche County, Okla., be, and the same are hereby, conferred upon the Lawton Railway & Lighting Co., a corporation created under and by virtue of the laws of the State of Oklahoma, and successor in interest, through purchase under foreclosure sale, of the property and rights of the Lawton & Fort Sill Electric Railway Co., first above mentioned, subject, however, to all the limitations, restrictions, and conditions contained in the said acts: *Provided*, That said Lawton Railway & Lighting Co. shall complete the construction of that portion of its road between Lawton and Fort Sill within two years from the date of the passage of this act.

With a committee amendment as follows:

On page 2, line 6, after the word "Oklahoma," strike out the remainder of that line, all of line 7, line 8, and the word "mentioned," in line 9, and insert in lieu thereof the following:

"*Provided*, That no rights hereunder shall vest in the Lawton Railway & Lighting Co. until maps of location of the respective portions of the road through the Fort Sill Military Reservation and the lands reserved for Indian school purposes hereafter receive the approval of the Secretary of War and the Secretary of the Interior, respectively."

Mr. FERRIS. Mr. Speaker, I move the adoption of the committee amendment.

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

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

Mr. MANN. Mr. Speaker, I offer an amendment as section 2, that "The right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. FERRIS. Mr. Speaker, I have no objection to that, but we considered that in the office of the Judge Advocate General and in the office of the Secretary of the Interior and also in our committee, and they were of the opinion that the provision in line 15, "subject, however, to all the limitations, restrictions, and conditions contained in the said acts," are sufficient, inasmuch as the former acts contained that provision.

Mr. MANN. I do not think it is sufficient.

Mr. FERRIS. I have no objection to it if the gentleman wishes to offer his amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Add as a new section, page 2, the following:

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

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

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

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

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

On motion of Mr. FERRIS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

RESERVATION OF LAND FOR PUBLIC PURPOSES IN TOWN SITES IN CERTAIN INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23953) to authorize the reservation of land for public purposes in town sites in certain Indian reservations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill. This bill is on the Union Calendar.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres for each quarter section of land reserved for town-site purposes in the Yuma Indian Reservation, Cal., and the Colorado River Indian Reservation, in California and Arizona, and upon the organization of said towns as municipal corporations the said reservations shall be conveyed to such corporations by the Secretary of the Interior, subject to the condition that they shall be improved, maintained, and used for public purposes: *Provided*, That if such lands shall not be used for the purposes for which this grant is made, the same or such parts thereof not so used shall revert to the United States.

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

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

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

INDIANS OCCUPYING RAILROAD LANDS, ARIZONA OR NEW MEXICO.

The next business on the Calendar for Unanimous Consent was the bill (S. 5674) for the relief of Indians occupying railroad lands.

The Clerk read the title of the bill.

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

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to request of the present claimant under any railroad land grant a relinquishment or reconveyance of any lands passing under the grant which are shown to have been occupied for five years or more by an Indian entitled to receive the tract in allotment under existing law but for the grant to the railroad company, and upon the execution and filing of such relinquishment or reconveyance the lands shall thereupon become available for allotment, and the company relinquishing or reconveying shall be entitled to select and have patented to it other vacant public lands of equal value in the same State, as may be agreed upon with the Secretary of the Interior.

Mr. MANN. Mr. Speaker, reserving the right to object, where this right is given as proposed by this bill, is there any limitation upon the quantity of land that might be taken by the railroad in lieu of the land it gives up?

Mr. STEPHENS of Texas. Has the gentleman any objection to the consideration of the bill?

Mr. MANN. I have reserved the right to object. I ask a specific question. The bill provides for the railroad company giving up land now occupied by Indians which belongs to the railroad company and taking other lands in lieu of it. Is there any limitation upon the quantity of land the railroad company may take?

Mr. STEPHENS of Texas. It would depend upon how many acres they gave up.

Mr. MANN. Yes; but suppose the Indians give up 160 acres of land, how much does the railroad company take?

Mr. HAYDEN. It takes the equivalent in value.

Mr. MANN. I know, but how much land?

Mr. HAYDEN. The Interior Department has to approve of the selection. They send a special agent out to examine the land——

Mr. MANN. I have been here a long time, and this is the first bill I can recall where you permit lands to be exchanged of equal value without any limitation on the quantity. The usual provision is of equal value and equal quantity.

Mr. FERRIS. Does not the gentleman think that before the exchange can become operative the Interior Department must approve of it, and does he not think that is sufficient protection?

Mr. MANN. No; I do not.

Mr. FERRIS. The whole matter is left in the hands of the Interior Department, and surely the department would not permit the railroad to get more than they are entitled to.

Mr. MANN. I do not know whether they would or not.

Mr. FERRIS. They have a great field of agents that they send out.

Mr. MANN. I do not think they would intend to. I heard the gentleman say the other day concerning the great State of Arizona that there was not any land in the State that was worth anything. This land is worth something. I do not know, but I suppose it is not intended to give 50 acres for 1.

Mr. HAYDEN. Mr. Speaker, I know but very little about this bill, but it is a department measure, and it wants it passed. I am willing to accept an amendment specifying that it shall be equal in area and value.

Mr. FERRIS. If the gentleman forces an amendment of that kind, he will make the bill inoperative. Suppose an Indian lived on a sand hill that is not worth 5 cents an acre. Is the railroad company going to take that and give land that is worth $20 an acre? Or suppose it was vice versa. Are you going to force the railroad to take a sand hill and give up land that is worth $20 an acre in value?

Mr. MANN. I do not see any difficulty at all; I take it that there is some place in Arizona—that there is another 160 acres of practically the same value as any 160 acres that are now there.

Mr. FERRIS. That would not be true in one case out of ten.

Mr. SAUNDERS. Let me say to the gentleman from Illinois that when we passed the act in reference to the Osage Indians we did not have that provision in it—that the exchange should be equal in area and equal in value. An amendment such as suggested by the gentleman from Illinois would practically make the bill inoperative.

Mr. MANN. If I recollect right, we struck out a provision in the Osage Indian bill which read the way the gentleman suggests.

Mr. SAUNDERS. No; we did not strike out that provision.

Mr. UNDERWOOD. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection?

Mr. MANN. If the gentleman from Alabama insists on his demand I shall object.

Mr. UNDERWOOD. If the gentleman from Illinois can arrange this matter I am willing to wait.

The SPEAKER. Does the gentleman object?

Mr. MANN. Certainly.

Mr. UNDERWOOD. Mr. Speaker, the gentleman from Illinois intimates that he is willing to let the gentleman's bill pass, and if he does, I will withdraw the demand for the regular order, but I want to push the calendar along.

Mr. MANN. I have been here all day trying to push the calendar along while the gentleman from Alabama has not been here all day, and I object.

The SPEAKER. The gentleman from Illinois objects.

GOVERNMENT HOSPITAL FOR THE INSANE.

The next business on the Calendar for Unanimous Consent was the resolution (H. Res. 418) directing the Committee on Public Buildings and Grounds to inquire into appliances, etc., for the protection of buildings, etc., at the Government Hospital for the Insane.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Has the Clerk a copy of the resolution which he is reading which has been reported back to the House?

The SPEAKER. He has a copy of it.

Mr. MANN. Does the copy show that it has been reported back to the House?

The SPEAKER. The situation about this is as follows——

Mr. MANN. I would like to have my parliamentary inquiry answered, if I may.

The SPEAKER. That is what the Chair is going to do.

Mr. MANN. I think the Chair was going to do something more.

The SPEAKER. What was the parliamentary inquiry of the gentleman?

Mr. MANN. Whether the Clerk read from a copy of the resolution, which shows that it has been reported back to the House?

The SPEAKER. It does not show anything of the sort.

Mr. MANN. I am not criticizing the Clerk, but the Clerk ought not to read the original print of a resolution until it has been reported back to the House.

The SPEAKER. There is no print of this that has been reported back.

Mr. MANN. Then the Clerk can not read it.

The SPEAKER. But it was not the Clerk's fault; the Speaker ordered him to read it.

Mr. MANN. I am not criticizing the Clerk, because I know how this thing came about. It is the fault of somebody else.

The SPEAKER. It was inadvertently referred to the wrong committee.

Mr. MANN. I beg the pardon of the Chair, but that is not the case; it was referred to the proper committee, and there is a report purporting to come from that committee, but because nobody knows what it is—I have not time to explain it, and therefore I shall object.

Mr. AUSTIN. Mr. Speaker, I will ask the gentleman from Illinois to withhold his objection. I think I can explain that.

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. AUSTIN. The safety of about 3,000 insane people is involved in this proposition.

VETO OF WOOL TARIFF BILL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an editorial by Mr. Charles K. McClatchy, of the Sacramento Bee, of August 12, 1912, relating to the second veto of the wool tariff bill.

The SPEAKER. The gentleman from California asks unanimous consent to have printed in the RECORD an editorial from the Sacramento Bee. Is there objection?

Mr. MANN. Mr. Speaker, did not the gentleman insert an editorial in the RECORD a day or two ago?

Mr. RAKER. Not upon this subject.

Mr. MANN. No; but upon some other subject.

Mr. RAKER. I do not remember that I did. I tried to get one in about two months ago.

Mr. MANN. I can not keep track of all the gentleman's requests. I do not think I shall object to this. The gentleman has made more requests for insertions in the RECORD than any other three Members of the House combined.

The SPEAKER. Is there objection?

There was no objection.

The editorial is as follows:

TAFT'S SECOND VETO OF THE LA FOLLETTE TARIFF BILL.

President Taft's veto of the bill to revise Schedule K of the Payne-Aldrich Tariff Act, which schedule relates to wool and woolen goods, is without justification.

The principle of protection was not attacked in this measure. It reduced the existing duties, but yet was highly protective. It imposed a duty of 29 per cent on raw wool, and on woolen clothing 49 per cent.

The vetoed measure accordingly was not a free-trade bill. It was not even a Democratic measure. It was a duplicate of the original La Follette bill, a Progressive Republican measure, which Taft vetoed a year ago.

The excuse he then gave for the veto was that Congress should have waited for the report of his Tariff Board on the subject. The excuse he now gives is that the bill does not conform to the board's findings; that its duties are not sufficiently high for "protection."

But not long after the passage of the Payne-Aldrich bill—which Taft should have vetoed because it did not keep faith with the people on the pledge of tariff revision—he publicly admitted Schedule K to be "indefensible" because of its enormous duties.

He did not wait for the report of any Tariff Board before making that confession. But now, in effect, he takes the ground that the people can have no relief from excessive duties save through a Tariff Board of his own appointment; that Congress must play second fiddle and abdicate its powers, because of the existence of such a board.

No doubt it is desirable to have a Tariff Board to act in an advisory capacity to Congress. But to assume that Congress must be governed by the findings or opinions of any such board is to set up a new and revolutionary doctrine. There are men in both Houses who have made a life study of the tariff and who know more about it, both practically and theoretically, than any member of this new board.

Senator LA FOLLETTE is a protectionist. In introducing and advocating this measure a year ago, after the Senate had rejected the Underwood bill, he declared his aim was to keep faith with the Republican platform pledge to the people regarding tariff revision. He then said:

"It is my judgment that there are no more iniquitous, no more indefensible, no more harmful provisions in all the tariff law than those contained in Schedule K.

"The ad valorem rates proposed will simplify the schedule in point of phraseology, will automatically do away with whatever fraud there is in the so-called compensatory duty, will abolish the discrimination against the poor man's cloth in favor of that of the rich man, will remove the discrimination against the carded-wool manufacturer in favor of the worsted-goods manufacturer, and, without attempting to draw the line between the compensatory and the protective duty, will automatically provide for both, leaving ample protection for the woolgrower

and the manufacturer without leaving the consumer completely at the mercy of the latter."

Senator LA FOLLETTE showed a year ago that the duties could be reduced even lower than his measure proposed "without disturbing in the slightest degree a single American industry"; that the existing Schedule K was not only excessive, but "dishonest." His bill, with some amendments then made in the House, was, however, vetoed by the President.

Recently the same bill of his, which passed the Senate a year ago, was again introduced by LA FOLLETTE as a substitute for the Penrose tariff bill, and passed the Senate by the combined votes of Progressives—Republicans and Democrats uniting for the purpose. The 11 Republican Senators who voted for it were BORAH, BOURNE, BRISTOW, CLAPP, CRAWFORD, CUMMINS, GRONNA, KENYON, LA FOLLETTE, POINDEXTER, and WORKS. DIXON and other Republicans favorable to the bill were paired with Democratic Senators.

Such is the plain history of this honest, just, and needed La Follette downward-revision bill, which Taft has a second time vetoed in the interest of privilege and monopoly and against the welfare of the people.

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the very eloquent oration entitled "The United States," delivered by the Hon. NATHAN E. KENDALL, a Member of this House from the State of Iowa, before the Society of the Friendly Sons of St. Patrick, at Philadelphia, Pa., on Monday, March 18, 1912.

The SPEAKER. Is there objection?

There was no objection.

The address of Mr. KENDALL is as follows:

The PRESIDENT. Gentlemen, I now have the great pleasure of introducing to you the Hon. NATHAN E. KENDALL from the sixth Iowa district and a Member of Congress; one of the eloquent gentlemen who are always listened to with the greatest pleasure.

"THE UNITED STATES."

[HON. NATHAN E. KENDALL.]

Mr. President and gentlemen of the Friendly Sons of St. Patrick:

I am profoundly sensible of the unusual compliment implied in your invitation to address the one hundred and forty-first annual dinner of this ancient and honorable association. It may not be unbecoming to acknowledge that an appropriate appreciation of my own inadequacy rendered me somewhat reluctant to appear on this delightful occasion, before this distinguished company, in this historic city. But my faltering confidence was measurably restored when I recalled that scintillant witticism of Senator Ingalls, retorted in legislative debate upon an eminent son of Pennsylvania, in which it was insisted that your venerable Commonwealth had, after all, produced but two great men—Albert Gallatin, of Switzerland, and Benjamin Franklin, of Massachusetts. [Laughter and applause.]

I anticipate with much satisfaction the enthusiasm with which you will approve every reference to dear old Erin—that little continent across the sea, whose future, in the providence of God, is to be as resplendent as its past, in the irony of fate, has been sorrowful. [Applause.] It is well. Your affection for the mother country in her misfortune but intensifies your loyalty to the youthful Republic in its prosperity; for it is not possible to be a good Irishman without being a good American. [Great applause.] We love the Emerald Isle, and we are proud of the impressive resistance she has interposed for more than a hundred years against alien oppression. The struggle for liberty which she is prosecuting will continue with augmented energy, undiscouraged by delay and undismayed by disaster, until self-government for that afflicted people shall be enforced in all the parliaments of enlightened opinion. [Applause.] We know how futile prophecy generally is, but we venture fondly to believe that men here present will witness the happy day when an ambassador from the republic of Ireland will arrive in Washington, present his credentials to the American Secretary of State, and be received with all the consideration to which his exalted commission will entitle him. [Great applause.]

I am expected to respond to the sentiment, "The United States of America." It is a theme, my countrymen, to fascinate the interest and stimulate the imagination. Bunker Hill and Yorktown! Lake Erie and New Orleans! Gettysburg and Cold Harbor! Manila Bay and Santiago! [Great applause.]

> Breathes there a man with soul so dead
> That never to himself hath said,
> "This is my own, my native land?"
> If such there be, go mark him well.
> For him no minstrel's raptures swell,
> High though his title, proud his name,
> Boundless his wealth as wish can claim,
> Despite his title, power, and pelf,
> The wretch, concentered all in self,
> Living shall forfeit fair renown
> And doubly dying shall go down
> To the vile dust from which he sprung,
> Unwept, unhonored, and unsung.

[Great applause.]

The United States of America! The immortal principles of justice and equity which underlie it! The incomparable benefits which it secures to its citizenship! The immeasurable sacrifices which have been suffered to establish and maintain it! It is our home, our country, our beloved Government, bequeathed to us forever by the venerated fathers, the most precious inheritance ever bestowed upon the sons of men! [Applause.]

It is difficult for us to realize that estimated by the long reaches of history our country is yet in its infancy. Less than a century and a half ago—indeed just subsequent to the organization of the society which honors me with its attention at this moment—in this City of Brotherly Love, the accredited representatives of an humble and pious constituency scattered along the Atlantic coast from New England to Georgia embarked upon an experiment. It was an experiment in political economy without a precedent and without a parallel. Thitherto from the earliest dawn of civilization there had been almost universal acquiescence in the now abhorrent doctrine of the divine authority of kings to rule common people. Whoever disputed that principle was denounced as an anarchist, intent upon public outrage and private mischief. Whoever asserted an inalienable right to a controlling voice in his own government was condemned as a disturber, seeking to overturn established conditions and to involve the community in disorder and chaos. The power of Great Britain was absolute, and it was exercised with the most offensive and oppressive insolence. Beginning with trivial exactions concerning nonessentials, her aggression gradually advanced from one usurpation to another until it finally culminated in the supreme infamy of a burdensome tax levied upon subjects impudently denied any influence in the administration of their own domestic affairs. And it was when this climax of iniquity was complete that there was exemplified before a waiting world the first demonstration of American patriotism. [Applause.]

It is profitable for us of this generation to glance back in retrospect to those immemorial days. There is Benjamin Franklin, with inimitable wisdom and unanswerable logic, collecting all the reasons for a divorcement from the mother country into one terse and indisputable argument, "taxation without representation is tyranny"; and sagely counselling his compatriots that unless in that crisis they all hung together, it was extremely probable they would all hang separately. [Laughter.] There is Thomas Jefferson dedicating the mightiest efforts of his transcendent genius to the cause of human freedom.

There is John Adams beseeching his brethren for a definite expression in favor of independence: "Sink or swim, live or die, survive or perish, I give my hand and my heart with this vote." [Applause.] There is Patrick Henry, that inspired Irishman [great applause], before the Virginia Legislature in a fine frenzy of eloquence, exclaiming: "Cæsar had his Brutus, Charles the First his Cromwell, and George the Third may profit by their example." [Applause.] Then, pausing for a moment for the tumult to subside, there burst from his indignant lips that memorable philippic now so familiar to every schoolboy orator: "What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty or give me death." [Prolonged applause.] And there is the formal declaration, signed and sealed, asserting that "these united colonies are, and of a right ought to be, free and independent States," written out of the faithful hearts of those consecrated patriots and ratified by the unswerving fidelity of their unconquerable countrymen. [Applause.]

Let us look again. Behold, the feeble and struggling colonists are engaged in a tremendous war with the most formidable military power on the globe. With no army, with no navy, with no credit, with no commerce, but with unfaltering confidence in the righteousness of their cause they have valiantly appealed from the cruel ultimatum of an arbitrary and insane king to the beneficent God of battles. There is the lamented Parker instructing his minutemen on Lexington Green: "Don't fire unless fired upon; but if they mean to have a fight, let it begin here." [Applause.] There is Ethan Allen assaulting Fort Ticonderoga and demanding its unconditional and immediate surrender. "Upon what authority?" inquired the terrified British commander. "In the name of the Great Jehovah and the Continental Congress," thundered the redoubtable colonel. [Geat applause.] There is John Stark leading an attack upon the impregnable outposts of the enemy, his clarion voice ringing full and clear above the roar of musketry: "Boys, there are the redcoats; we must beat them to-day or Mollie Stark is a widow." "There is the young and amiable and ambitious Hale executed as a spy, crying out upon the gallows in the presence of ignominious death: "Would to God I had a dozen lives to

sacrifice for my country." [Applause.] There is John Paul Jones, his good ship stripped and almost sinking: "Have you struck your colors?" signaled his adversary. "No," trumpeted back the invincible sea-dog, "I have just begun to fight." [Great applause.] And there is George Washington, sublime and self-poised on his bended knees at Valley Forge invoking the aid and support of Divine guidance. Ah, the heroes of that cause and of that war are nameless and numberless and deathless. And after the blood and carnage and defeat and victory came the capitulation of Cornwallis and the acknowledgment of American independence. The long end hoped for, fought for, prayed for, was achieved at last. Liberty triumphed over tyranny, and the imperious edict of despots was superseded by the legally expressed will of the majority, honestly ascertained and faithfully enforced. A government was established, deriving its just powers from the consent of the governed and dedicated to the proposition that all men are created equal. A constitution was ordained, guaranteeing to Catholic and Protestant, to Puritan and Cavalier, to Royalist and Republican, like security in life, property, and the pursuit of happiness, and the United States of America entered upon its unprecedented career of prosperity and usefulness and honor. [Great applause.]

The student of our history is interested and yet perplexed when he is compelled to consider that even at that remote day when Washington was inducted by unanimous acclaim into the first Presidency there existed radical differences of opinion respecting the character of the new government. One school of thought affirmed that it was simply a voluntary association of sovereign States, subject to be dissolved at the election of any one or number of its membership. Another school of thought maintained that it was a union, inseparable, indivisible, perpetual. [Applause.] Out of that disparity of belief, earnestly entertained and energetically defended, there arose as the years elapsed heated discussion, bitter controversy, crimination, and recrimination, all to be adjudicated irrevocably, to be adjudicated forever, to be adjudicated right at Antietam and Vicksburg and Appomattox. [Great appluase.]

The Civil War was a tragedy so unparalleled in the written records of humanity that no imagination, however vigorous and resourceful, is competent to delineate its awful enormities. Reflect a moment upon all that was involved. Think of the terrible loss of life, of the tremendous destruction of treasure, of the firesides ruined, of the hearthstones desolated, of the families beggared, of the national travail and wretchedness and misery, of the individual suffering and sacrifice and death. Think of the faithful husband as he renounces the sweet and tender associations of home, the devoted wife, the cherished children, and then think of him on the bloody field of battle slowly dying of a mortal wound—and all for principle, all for liberty, all to preserve a united Government of indestructible States, one and indissoluble, then and forever. Think of the dutiful son, the silent joy of an affectionate and solicitous mother, the stalwart support of an aged and declining father—think of his farewell to those sorrow-stricken parents; farewell not until to-morrow, not until next week, not until after awhile, but farewell until they all shall stand at the last day in the presence of each other before the judgment bar of God. Think of the romantic suitor as he sighs au revoir to the soft-voiced siren who has long reigned empress in his heart. We may not be pardoned for referring to that interview. The surroundings are inspiring in their character. There is the fife and the drum and the uniform and the march and the grand old patriotic songs which stir men's souls. All without is tumult and confusion, all with them is confidence and love. This rueful Romeo is whispering to his gentle Juliet the old, old story, which always is new at every repetition, when suddenly the drums beat, the advance is sounded, and they must part for a time, it may be forever. Think of that hero as he marches away to the strident music of the war:

His not to reason why;
His but to do and die.

And then think of him at Shiloh, or before Atlanta, or in the Wilderness yielding up his young life that the great Republic may remain. [Applause.] We try to measure all the sorrow and the sacrifice, and we are stupified with horror. The eyes grow dim, the lips are silent, the heart is still. There are names we do not know, and graves we can not find. There are messages that never came, and mournful whispers carried on the weeping winds to breaking hearts that never cease to break, yet can not die. There are memories that time will not obliterate, and familiar footsteps which ever echo and reecho in the corridors of the imagination. There are strains of music weird and gay and sweet and sad which transport all the past upon their matchless melody and waft it by beyond our grasp on mystic wings of sound. And even to this day there are tears that will not dry, and sobs that can not break in tears. Oh, how superb, how magnificent, how glorious, how cruel, how terrible, how remorseless is war to the victorious and to the vanquished. [Great applause.]

It was a calamity unspeakably sorrowful, that fratricidal misunderstanding between the people of the North and the people of the South. But we long ago learned to embrace the philosophy expressed by our great President in his second inaugural, "The Almighty has his own purposes, and the judgments of the Lord are true and righteous altogether." There could not be a new birth of freedom so long as the old institution of slavery survived. There could not be a more perfect union in peace until the doctrine of States' rights perished by the sword. There could not be the remission of national sin without the shedding of individual blood. And so the war was inevitable. It was a fearful retribution, but its compensations were more than manifold, for out of it there emerged the regenerated, the reunited, the real Republic which is now the miracle and the marvel of all the civilized communities of the earth. [Applause.] The conflict itself is become a priceless and imperishable memory, with its bloodiest battle fields cherished everywhere as sacred theaters upon which were illustrated the sublimest exhibitions of American endurance, American bravery, American patriotism. The heroes of that unexampled collision, whether robed in the blue of victory or in the gray of defeat, each battled for a principle which he believed with every aspiration of his soul to be right; each rendered to the cause he espoused the last final measure of duty as he conceived it; and the incomparable valor of each is the treasured heritage of our common country. [Applause.] And it is our common country now. A little while ago I witnessed a spectacle which to me was a genuine revelation. There were miles of carriages, civic societies in full uniform, salvos of artillery, regal pomp, and military pageantry. The ceremonial was the unveiling of that historic statue on the Lake Front in Chicago, erected by the gratitude and generosity of the State of Illinois in honor of Gen. John A. Logan. [Applause.] Throughout the 5 miles of that remarkable procession the atmosphere was enriched with continuous cheers as Federal and Confederate emulated each other in tribute to that invincible warrior, the superb Black Eagle of the Fifteenth Army Corps. And when I saw that demonstration I said to myself, it is our common country now. [Great applause.] Do you know, my countrymen, in the National Park at Chickamauga the sovereign State of Kentucky has created a single memorial to her sons under Thomas and her sons under Bragg who fought and fell on the decisive field. And on that magnificent marble there is inscribed these significant and inspiring words:

"As we are united in life and they in death, let one monument perpetuate their undying deeds, and one people forgetful of all the bitterness of the past ever hold in grateful remembrance all the glories of the terrible conflict which made all men free, and retained every star upon our Nation's flag." [Great applause.]

And when I stood in the shadow of that majestic column and read that noble sentiment composed by a colonel who commanded a Confederate regiment at Snodgrass Hill, I said to myself again, it is our common country now. [Applause.]

Indeed, who can doubt it after the memorable incidents of the Spanish-American War. That was an unfortunate and sanguinary encounter in which we became embroiled with a semibarbarous power, but let it be remembered that the catastrophe was not of our own provoking. After exhausting every resource of pacific diplomacy we were compelled to submit the questions at issue to the arbitrament of the sword. We forbore until forbearance ceased to be a virtue. We delayed until dilatoriness was fast becoming a crime. Yonder on the little island of Cuba thousands of innocent women and children were starving at our very threshold. Robbery, rapine, and murder without example characterized the conduct of Spain toward her impoverished dependency. We petitioned, and our petitions were ignored with contempt. We remonstrated, and our remonstrances were spurned with derision. We protested, and our protests were scorned with defiance. Finally the good ship Maine was destroyed, and by that last act of infamy 267 of our gallant seamen on a friendly visit to a supposedly friendly port, with no moment's warning of impending danger were ruthlessly slaughtered, and without a conscious struggle they passed from the repose of sleep to the repose of death. Then came our declaration of war. It was a trumpet call to duty, and it unified this country as no other agency could have accomplished. [Applause.] Instantly a million men were ready to respond to the crisis, and they came from every city, from every town, from every village, from every hamlet in the

broad commonwealth. For the first time in generations there was no North, no South, no East, no West—only a single country with a single emblem and a single destiny. Thus fortified we proceeded from victory to victory while vengeance was ours and until we had repaid. It was our supreme privilege to emancipate a beleaguered people, to avenge fiendish and brutal assassination, and once again to banish European tyranny from the occidental hemisphere. [Applause.] I do not know your opinion and I would not violate the proprieties of this occasion, but I have the profound conviction that there is no place in the territory of this western continent for any but American institutions; there is no room in the atmosphere of this western world for any but the American flag. [Prolonged applause.] In that brief but brilliant engagement with Spain, whether with George Dewey steaming over the torpedoes into Manila Bay, or with the peerless Schley at Santiago, or with the redoubtable Rough Riders of San Juan and El Caney, the American Army and the American Navy achieved inextinguishable renown, and communicated a new and resplendent glory to our triumphant Republic. [Applause.] And when I observed the Federal general, Merritt, and the Confederate general, Wheeler, standing side by side and shoulder to shoulder under the beautiful banner of the free, I said to myself a thousand times, it is our common country now. [Great applause.]

The past so opulent is past—what of our future? To-day we are the most important people on earth, to-day we are the most progressive, to-day we are the most powerful. We know more than any other people [applause], and upon sufficient persuasion we can be induced to confess the fact. [Laughter and applause.] We have got more books on our shelves, more pictures on our walls, and more thought in our brains. We have got more pleasant homes in this country, more happy children, more intelligent women and more intellectual men, and the United States of America is the best government ever organized by man. [Applause.] No other nation so nearly approaches absolute equality, no other Republic ever survived half so long without a successful revolution, and every additional star we imprint upon our emblazoned banner is a perpetual evidence that we are resolved to advance throughout all eternity. [Applause.]

So far as I am concerned I have not been depressed by the insidious pessimism which characterizes contemporaneous philosophy. On the contrary, I have unlimited faith in the great Republic. A nation that is capable of producing George Washington and Thomas Jefferson and Alexander Hamilton [applause]; that is capable of producing Andrew Jackson and Henry Clay and Daniel Webster [applause]; that is capable of producing Abraham Lincoln—and what shall I say in this presence of that overshadowing character, of that mysterious admixture of melancholy and merriment, of laughter and tragedy, of mirth and tears? [Applause.] When the nineteenth century shall assemble its illustrious dead in their final Pantheon there will be Napoleon for France, Gladstone for Britain, Bismarck for Germany, Tolstoy for Russia, and for America the grandest personality in all modern history; the emancipator, the martyr, the man, Abraham Lincoln. [Prolonged applause.] A nation that is capable of producing Lincoln; that is capable of producing Ulysses S. Grant, that silent soldier whose military strategy exploded ancient fallacies and introduced original conceptions of popular government; whose inspiring epigrams, "I propose to fight it out on this line if it takes all summer," and "No terms other than unconditional surrender will be accepted," stimulated the hesitant North to renewed endeavor, and whose prophetic words, "Let us have peace," were a sacred benediction upon the troubled hearts of all his countrymen. [Applause.]

A nation that is capable of producing Grant; that is capable of producing William McKinley, that matchless sacrifice to an anarchy as inexcusable as it was insane, who was everywhere recognized as a synonym for fidelity to friendship, for devotion to duty, for perfect consecration to the public service; whose laborious and eventful life, whether in private conduct or domestic relation or official position, was one harmonious symposium of the sweetest, chastest symphonies that can be improvised from the atmosphere of heaven. [Applause.]

A nation that is capable of producing such a citizenship and of inspiring it with such a patriotism must have a marvelous future. And it shall go forward forever, surmounting one obstacle after another in the pathway of its development and of its destiny, until finally it shall seize and hold and reflect the glory and the grandeur of all the earth. [Prolonged applause.]

Joaquin Miller, that erratic and eccentric genius of the Sierra Nevadas, has written a poem of Columbus and his voyage, of its hopes and fears, of its doubts and despairs, and of its ultimate reward in the discovery of an unsuspected continent. I never read that poem without instinctively feeling that its exalted sentiment typifies the irresistible progress of my country:

Behind him lay the gray Azores,
Behind the gates of Hercules;
Before him not the ghost of shores,
Before him only shoreless seas.
The good mate said, "Now must we pray,
For lo, the very stars are gone;
Brave Admiral speak, what shall I say?"
He said, "Sail on and on and on, sail on."

They sailed and sailed as winds might blow
Until at last the blanched mate said,
"Why now not even God would know
If you and all your men fell dead;
These very winds forget their way,
For God from these dread seas is gone;
Brave Admiral speak, what shall I say?"
He said, "Sail on and on and on, sail on."

They sailed and sailed, then spake the mate;
"This mad sea shows his teeth to-night,
He curls his lips, he lies in wait
With lifted fang as if to bite;
Brave Admiral say but one good word
What shall I say when hope is gone?"
The answer leaped like a leaping sword;
He said, "Sail on and on and on, sail on."

Then pale and worn he kept his deck
And peered through darkness. Ah, that night
Of all dark nights, and then a speck;
A light! A light! A light! A light!
It grew, a star-lit flag unfurled;
It came to be time's burst of dawn.
He gained a world, and gave that world
Its grandest lesson; On and on and on, sail on.

[Great applause.]

And so, my countrymen, shall this imperial Republic of ours, proud of yesterday, contented with to-day, hopeful for to-morrow, sail on and on and on throughout the countless cycles of its shining career until it shall attain an approximately perfect day when no decoration shall be so exclusive, no dignity so exceptional, no distinction so extraordinary as citizenship in the United States of America. [Prolonged applause.]

RELIEF OF HOMESTEADERS IN NEBRASKA.

Mr. KINKAID of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 20498) for the relief of certain homesteaders in Nebraska, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read the Senate amendment.

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

The Senate amendment was agreed to.

HOUR OF MEETING TO-MORROW.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at half past 10 o'clock to-morrow morning. I understand the gentleman from Illinois [Mr. RAINEY] desires to occupy an hour in debate at that time, and I ask unanimous consent further that the hour from 10.30 o'clock a. m. to 11.30 o'clock a. m. be devoted to that purpose.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourn to-day it adjourn to meet to-morrow at 10.30 o'clock a. m., and that immediately after the reading of the Journal the gentleman from Illinois [Mr. RAINEY] may have an hour in which to address the House.

Mr. MANN. Mr. Speaker, reserving the right to object, what is the gentleman going to discuss?

Mr. RAINEY. Certain phases of the water-power conservation question.

Mr. AUSTIN. Mr. Speaker, I have received notice from the gentleman from Illinois that he intended to make this speech, and that he also intended to refer to me in that address.

Mr. RAINEY. Yes.

Mr. AUSTIN. If this House gives him permission to address it for an hour, I shall ask permission to reply to-morrow.

Mr. UNDERWOOD. Mr. Speaker, if it is to be a personal controversy between two gentlemen I do not think that we can set aside to-morrow to carry it on.

Mr. MANN. Why not extend the time a little and divide it up, if they need it?

Mr. RAINEY. I ask unanimous consent that the gentleman from Tennessee may be accorded the privilege of replying.

Mr. AUSTIN. Mr. Speaker, I have no objection to the gentleman from Illinois having an hour, but I want the same amount of time, if I deem it necessary, in which to defend myself and reply to anything that he may have to say in reference to me.

Mr. RAINEY. I suggest that the House adjourn until 10 o'clock to-morrow morning.

Mr. UNDERWOOD. Mr. Speaker, if it is to be a personal controversy between two gentlemen I do not think that I can consent to it. We will have conference reports and other matters of importance to attend to.

Mr. MANN. Mr. Speaker, I think both gentlemen will be able to get time to-morrow.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

Mr. MANN. Mr. Speaker, reserving the right to object, what is to come up at that time?

Mr. RAINEY. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow; that I have the hour from 10 o'clock to 11 o'clock, and that the gentleman from Tennessee [Mr. AUSTIN] have the hour from 11 o'clock to 12 o'clock, if he so desires.

Mr. UNDERWOOD. Mr. Speaker, while I dislike to object to that, I feel I shall have to.

Mr. MANN. Oh, it is only adding half an hour more to the time the gentleman proposed.

Mr. UNDERWOOD. I fear if the gentlemen start in a controversy of that kind it will reach well into the day.

Mr. RAINEY. I do not think I will even take the hour.

Mr. UNDERWOOD. If the gentlemen will compromise on 45 minutes a side, very well.

Mr. MANN. Oh, let them have an hour and meet at 10 o'clock.

Mr. RAINEY. I do not think I shall take over 45 minutes, but I would like to have an hour.

Mr. UNDERWOOD. Mr. Speaker, with the understanding that when 12 o'clock is reached, the House may proceed with business, without interruption on account of these speeches, I shall not object.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when the House adjourn to-day it adjourn to meet at 10 o'clock to-morrow morning, and that he shall have one hour in which to address the House, and that the gentleman from Tennessee shall have one hour in which to reply.

Mr. UNDERWOOD. With the understanding that when 12 o'clock is reached the House may proceed with business.

The SPEAKER. The Chair would suggest that it will take 10 or 15 minutes to read the Journal in the morning, if not longer.

Mr. RAINEY. Then take that much time off each one of us.

The SPEAKER. Half and half?

Mr. RAINEY. Yes.

Mr. UNDERWOOD. I think the gentlemen better agree to the proposition that each take 45 minutes.

Mr. RAINEY. Mr. Speaker, I will ask that each side have 50 minutes.

Mr. MANN. Mr. Speaker, I shall not object to each side having 50 minutes, if we meet at 10 o'clock, if my colleague proceeds at that time.

Mr. RAINEY. I intend to proceed at 10 o'clock.

Mr. MANN. I do not care to have the House meet at 10 o'clock to-morrow and then have it start on something else that is not expected to come up at that time.

The SPEAKER. The gentleman asks that the House meet at 10 o'clock a. m., and that immediately after the reading of the Journal he and the gentleman from Tennessee shall proceed to address the House——

Mr. AUSTIN. Mr. Speaker, I want to make the request in my own name that I have the opportunity to reply to the gentleman.

The SPEAKER. Well, the gentleman from Illinois [Mr. RAINEY] asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock to-morrow, and immediately after the reading of the Journal he shall have one hour. Does the gentleman from Tennessee [Mr. AUSTIN] wish to prefer a request?

Mr. MANN. It was 50 minutes.

The SPEAKER. It is 50 minutes instead of an hour. Now, does the gentleman from Tennessee desire to make a request?

Mr. AUSTIN. I ask permission for an equal length of time to answer the gentleman.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] asks for 50 minutes.

Mr. UNDERWOOD. Mr. Speaker, I couple with the request that when the hour of 12 o'clock is reached that the business of the House shall be proceeded with.

Mr. MANN. I could not consent to that, because that might deprive the gentleman from Tennessee of his time.

The SPEAKER. Why not compromise it in this way, that immediately after the reading of the Journal the gentleman from Illinois and the gentleman from Tennessee shall, under the direction of the Chair divide what remains of the time equally between them until 12 o'clock.

Mr. RAINEY. I have no objection.

The SPEAKER. Is there objection?

Mr. MANN. Is it the Speaker's suggestion?

The SPEAKER. Yes; and that would seem to be a fair compromise.

Mr. MANN. If that is the request of the Speaker he is putting and the proposition he has made, I have no objection.

The SPEAKER. That is the proposition the Chair puts, that when the House adjourns to-day it shall adjourn to meet at 10 o'clock a. m., to-morrow, and after the reading of the Journal that the speech making by the gentleman from Illinois and the gentleman from Tennessee extend to 12 o'clock, the time to be divided half and half between them by the Chair.

Mr. AKIN of New York. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama if he will insure us a quorum.

The SPEAKER. It will take half an hour of that time to get a quorum.

Mr. AKIN of New York. I should like a quorum here to hear it.

The SPEAKER. That is a laudable desire. Is there objection? [After a pause.] The Chair hears none.

INJURED GOVERNMENT EMPLOYEES.

Mr. MAGUIRE of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 23451, the omnibus claims bill, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

H. R. 23451, an act to pay certain employees of the Government for injuries received while in the discharge of their duties, and other claims for damages to and loss of private property.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to disagree to the Senate amendments and asks for a conference.

Mr. MANN. If the gentleman asks unanimous consent, I object.

ADJOURNMENT.

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 8 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, August 20, 1912, at 10 o'clock a. m.

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. HENRY of Texas, from the Committee on Rules, to which was referred the concurrent resolution (S. Con. Res. 24) providing for an inquiry as to the purchase of the home of Thomas Jefferson, at Monticello, Va., reported the same without amendment, accompanied by a report (No. 1214), which said bill and report were referred to the House Calendar.

Mr. FLOOD of Virginia, from the Committee on Foreign Affairs, to which was referred the concurrent resolution (H. Con. Res. 1) arranging for improvement in the American tobacco-trade conditions, reported the same without amendment, accompanied by a report (No. 1213), which said bill and report were referred to the House Calendar.

Mr. McLAUGHLIN, from the Committee on Agriculture, to which was referred the bill (H. R. 26329) to amend proviso in meat-inspection law concerning products prepared according to directions of foreign purchasers, reported the same with amendment, accompanied by a report (No. 1225), which said bill and report were referred to the House Calendar.

Mr. MOSS of Indiana, from the Committee on Expenditures in the Department of Agriculture, submitted a report (No. 1207) on the hearings before said committee, commonly referred to as the Florida Everglades investigation, which report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (S. 4033) for the relief of Warren E. Day, reported the same with amendment, accompanied by a report (No. 1218), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. FRENCH: A bill (H. R. 26338) providing for patents to desert-land entries on reclamation projects, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. MONDELL: A bill (H. R. 26339) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. DOREMUS: A bill (H. R. 26340) requiring all ocean and lake going vessels propelled by machinery and over 15 gross tons to carry a message case for the purpose of communicating any accident on shipboard to people on shore, when no other means are available; to the Committee on the Merchant Marine and Fisheries.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 26341) to regulate the construction of dams in navigable rivers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASHBROOK: Resolution (H. Res. 700) to pay E. B. McClelland for services as a House Office Building policeman; to the Committee on Accounts.

By Mr. WILSON of Pennsylvania: Resolution (H. Res. 701) authorizing the appointment of a special committee to investigate conditions existing in the Paint Creek coal field of West Virginia; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BOOHER: A bill (H. R. 26342) granting an increase of pension to Mary F. Murphy; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 26343) granting an extension of letters patent to William F. Brothers; to the Committee on Patents.

By Mr. DENVER: A bill (H. R. 26344) granting a pension to Alice Ricketts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 26345) granting a pension to Maud A. Johnston; to the Committee on Invalid Pensions.

By Mr. FLOOD of Virginia: A bill (H. R. 26346) for the relief of the legal representatives of Thomas B. McClintic, deceased; to the Committee on Claims.

By Mr. HAMILTON of West Virginia: A bill (H. R. 26347) granting an increase of pension to Alpheus Danley; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 26348) for the relief of the estate of John Wesley Eubanks; to the Committee on War Claims.

By Mr. LEE of Pennsylvania: A bill (H. R. 26349) granting a pension to John Dowdy; to the Committee on Pensions.

By Mr. LEVER: A bill (H. R. 26350) authorizing the President to nominate and, by and with the advice and consent of the Senate, appoint E. F. Slater, a first lieutenant in the Medical Reserve Corps of the United States Army, a captain in the Medical Corps on the retired list, and increasing the retired list by one for the purposes of this act; to the Committee on Military Affairs.

By Mr. McGILLICUDDY: A bill (H. R. 26351) granting a pension to Rosie Scott; to the Committee on Pensions.

By Mr. WILLIS: A bill (H. R. 26352) granting a pension to Lydia B. Fowler; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 26353) granting a pension to Arrietta Newbert; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. ANSBERRY: Memorial of the Grand Council of Ohio of United Commercial Travelers, favoring change of date for national and State elections; to the Committee on Elections of President, Vice President, and Representatives in Congress.

By Mr. HOWELL: Memorial of the Commercial Club of Salt Lake City, Utah, favoring a Federal commission to revise the mineral land laws of the United States; to the Committee on Mines and Mining.

By Mr. KINDRED: Petition of the Maritime Association of the port of New York favoring the building of two battleships; to the Committee on Naval Affairs.

By Mr. McKINNEY: Petition of A. G. Anderson, manager Angutane Book Concern, Rock Island, Ill., against passage of Senate amendment to Post Office bill; to the Committee on the Post Office and Post Roads.

By Mr. SCULLY: Petition of Middlesex Council, No. 63, Junior Order United American Mechanics, of Perth Amboy, N. J., and Charles L. Walters Council, No. 178, Junior Order United American Mechanics, Milltown, N. J., favoring passage of the Dillingham immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of the Patriotic Sons of America, Washington Camp, No. 85, of New Jersey, favoring passage of the Dillingham immigration bill; to the Committee on Immigration and Naturalization.

By Mr. UNDERHILL: Petition of the Isaac Goldman Co. against increased postage on magazines, etc.; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Papers to accompany House bill 21696, granting an increase of pension to John W. Hendershott; to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Lydia B. Fowler; to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *August 20, 1912.*

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

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

Mr. GALLINGER took the chair as President pro tempore under the previous order of the Senate.

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

PERSONAL EXPLANATION.

Mr. PENROSE. While I am on my feet, Mr. President, I desire to give notice that to-morrow, after the reading of the Journal, I shall rise to make a privileged statement regarding certain correspondence between John D. Archbold and myself. I understand that this will not interfere with the unanimous consent already given, and I ask that it be noted on the calendar.

The PRESIDENT pro tempore. It is the Senator's privilege.

EXECUTIVE SESSION.

The PRESIDENT pro tempore. It having been agreed by unanimous consent that on this day at 11 o'clock the Senate would proceed to the consideration of executive business, the Sergeant at Arms will see that the galleries are cleared and the doors closed.

The Senate thereupon proceeded to the consideration of executive business. After 3 hours and 15 minutes spent in executive session the doors were reopened.

DEPARTMENT OF LABOR.

Mr. BORAH. I ask unanimous consent that on Thursday morning, after the routine morning business and prior to the time at which the unfinished business would come up, we consider House bill 22913, being an act to create the department of labor.

The PRESIDENT pro tempore. The Senator from Idaho asks that on Thursday morning, after the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 22913) to create a department of labor. Is there objection?

Mr. REED. I ask for order in the Chamber in order that the Senate may understand the request.

Mr. SMOOT. Will the Senator from Idaho add to his request not to interfere with the consideration of appropriation bills or conference reports?

Mr. BORAH. Yes; I think that under the circumstances that should be added.

The PRESIDENT pro tempore. The order as modified will be stated by the Secretary.

The Secretary read as follows:

It is agreed that on Thursday morning, immediately after the routine morning business, the Senate will proceed to the consideration of the bill (H. R. 22913) to create a department of labor, this, however, not to interfere with appropriation bills or reports of committees of conference.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho? The Chair hears none.

THE PRESIDENTIAL TERM.

Mr. CUMMINS, Mr. NEWLANDS, Mr. SMOOT, and others addressed the Chair.

The PRESIDENT pro tempore. The Chair feels constrained to lay the unfinished business before the Senate. It will be stated.

The SECRETARY. A joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.